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TO THE RIGHT

worshipful Sir WILLIAM CORDELL

Knight, Master of the Roules, Fargar-

nando Pulton wisheth long continu-

*ance of prosperous life, with great
increase of Worship.*



After the Romanes had banished their Kings, ^{re-} Titus Linius
moued their Consuls, and placed tenne ^{dec 1 lib. 3.}prin-
cipall Magistrates called *Decem-viri*, yeerely by
turne to gouerne their Citie, they sent three
Emballadours to Athens, and other Cities of ^{Dionys. Hali-}Greece,
to learne and fetch them the Lawes of ^{car, lib. 10,}Solon,
and other auncient rites, and ordinances
of those Cities: which being brought to Rome,
were perused by the said tenne Magistrates and the Senate, and one by
one were by them examined, sifted, & reformed according to the time,
their manner of gouernment, and the nature of their people, and reduced
into tenne Tables: Then were they published to the whole multitude
of the Citizens, established by the xxxv. Tribes, ingraued in pillars of
Brasse, and set in a most open place of the Citie for all men to behold,
to the intent that each man might at his pleasure daily peruse the same,
and no waies be ignorant of those Lawes, which he was bound to
obey. By which Tables, and other two, shortly after thereunto annexed,
the flourishing Roman Empire was chieflie gouerned by the space of
manie ages, and they doe remaine the ground of the Ciuill Lawes vsed
to this day in diuers parts of the world. Euen so, when the mightie God
of Iacob had with diuers miraculous plagues punished the land of Egypt ^{Exod. 7. &}
for his elect people of Israels sake, caried them thorow the red Sea,
drowned therein King Pharaoh and his host, sweetned the bitter wa-
ters for them to drinke, sent them foode from heauen, and brought
them by a cloudie pillar in the day, and a fierie pillar in the night, vntill
they came to mount Sinai, he then gaue them diuers commandem

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and made vnto them manie Lawes and Statutes, concerning due honour to be done vnto him, concerning their ducie to their Prince, strates, and Leuites, to their parents, neighbors, and straunger, concerning the direction, order, and guiding of their wiues, children, lands, goods, and other things necessary for the vse of man.

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most mightily charged them, that the same commaundements should be in their hearts, that they should shew them vnto their children, that they should talke of them when they were at home in their houses, and

and when they were by the waie, when they lie downe, and when they rise vp, that they should bind them for a signe vpon their hands, that they should have ribbons betwixt their eyes, that they should write them vpon

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the postes of their houses, and vpon their gates. And moreouer when they came into the land of promise, that they should set vp great stones

on Mount Ebal, plaster them with plaster, and write vpon them all the wordes of those Lawes. Which commaundements Iosua the seruant of the Lord did after most faithfully perfourme. With which good examples, and such like, together with the care of their subiects by Almighty God to them committed, the vertuous Princes and Gouvernours of this Realme being mooued, haue not onely prouided for the due obseruation of the Lawes of GOD within these their Kingdomes and Provinces, picked forth the purest iuice and pithiest marrow of the Lawes of the Romanes and other regions, and from time to time by the aduise of their Nobles, and consent of their commons, decreed, altered, and reformed the same according to the inclination of their subiects, and disposition of the inhabitants of their Dominions, but also haue bin most carefull that those Lawes and Statutes which were newly ordeined, should be in such sorte published, spread abroad, & made knowen, that each person bound to obey the same, might take knowledge of that, whereby he was to liue, to receiue benefite, or sustaine losse, (alwaies intending that those Lawes, which the finger of God hath written in the heart of man, or nature infused into him vpon his first creation, or reason, the onely cognisance of mankind, instilled into his breast, or which the auncient Maximes and Customes of the Realme, the verie ground of all our Common Lawes, haue instructed him, be not to any English man, hauing the cleare vse of *Synderisis*, wholly vnknown.) And therefore they haue prouided that their Iustices of *Oier and Determiner*, their Iustices of Assise, and Gaole deliuerie, at their generall Assises, their Iustices of Peace at their Quarter Sessions, their Shirifes in their Turnes, their Stewardes of Leetes and Liberties in their Courts, (vnto which Assises, Sessions, and Courts, the greater number of people being aboute the age of xij. yeeres, are bound to resorte) should not onely declare what Lawes and Statutes haue bin made for the punishment of seuerall great offences, but also should execute the paines and penalties of the same vpon the transgressors thereof: that the chastisement

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ment of some might be to others a learning to know the same Lawes, and also a warning to them to auoid the danger thereof. And further they haue foreseene, that some special statutes, which be most dangerous, and into the perill whereof the ignorant people are likest to slide, should be openly read in the foresaid Courts, that the hearers thereof should not onely vnderstand themselues, but also instruct their neighbors at home, of those most Penall Lawes, and of the great daungers thereof. And for that cause King Ed. 1. ordeined by Parliament, that the statute of *Magna Charta*, and *Charta Forest*. should be openly read in Churches. King R. 2. decreed, that the statute of Winchester should be openly proclaimed by euery Sherife of England in his proper person foure times in the yere in euery Hundred within his Countie, and by his Bailifes in euery Market. King H. 6. enioyned euery Sherife vpon a great pain, that he should foure times euery yere through his Bailiwick, proclaime certaine statutes provided for Purueiours. King H. 8. commaunded, that the statute made for the maintenance of Artillerie and debarring of vnlawfull Games, should be openly proclaimed euery quarter once, by all Maiors, Bailifes, Sherifes and other head Officers: And that Iustices of Gaole deliuerie, Iustices of Assise, and Iustices of Peace, should cause the same to be proclaimed in the Sessions holden before them. Queene M. provided that the statute made against vnlawfull and rebellious Assemblies, should be published at euery Quarter sessions, and at euery Leete and Lawday. And our soveraigne Ladie Queene Eliz. hath by authoritie of Parliament established, that the statute ordained for the assurance of her Maiesties Royall power over all states and subiects within her Dominions, should be openly declared at euery Quarter sessions, and at euery Leete and Lawday, and once in euery Terme in the open Hall of euery house of Court, and Chancery. So that in the place of Praier, in the place of Iustice, and in the place of seeking our priuate commoditie, our Princes haue deuised to sound into our eares, and to imprint into our memory, the effect of the foresaid Lawes, with the fruits that be promised to the obseruers, and the punishments which be threatned to the infringers thereof. And sometime, finding time, to worke forgetfulnesse, or their lenitie to encourage slacknes in their subiects of due obseruance of some speciall Statutes, they doe with a fatherly care by Commission, Proclamation, or some other meanes, gently put them in remembrance thereof, requesting, perswading, and as it were vpon their blessing charging them, that they would do their parts of good children, and obediently obserue those ordinances which were decreed by their owne, or their ancesters consent. Besides all this, they haue caused to be Printed the foresaid Statutes with their Preambles, declaring the special considerations of the making of a new, abrogating, altering, or reforming an olde Law, to the intent, that euery one which desireth to know, may read, and thereby perceiue the

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cause, and contents of the same. So that our worthy Princes haue plaied the part of Gods good Lieutenants in these their Regions, they haue laide a foundation of all their Statutes & decrees, the word & euerlasting Testament of the Almighty, they haue vsed those Lawes of the *Romanes*, *Grecians*, *Saxons*, *Normans*, and other Countreis, which be most correspondent to the ordinances of God, consonant to reason, and agreeable to the inclination of their Subiects, they haue indeuoured themselves further to publish them, then ingrauing in brasse, or writing in stone, settled in one place certaine, can doe. Whereby is plainly declared, not only their great foresight to make good Lawes, but also their speciall care to notifie the same, that ignorance might not excuse offenders, nor want of notice, lead awry such as are willing to liue in order. But because the Governours of this state, from time to time carefull to provide such Lawes, as were most commodious for the weale publique, haue bin enforced to trie many, to continue diuers, to alter & reforme some, according to the disposition of the wauering minded people, fertilitie of the soyle, quietnesse of the gouernment, friendship of the Regions adioyning, and other accidents and circumstances wherunto our humane nature is subiect, by that necessarie meanes our statute Lawes are growen to be many, some much differing, and some meere contrary and repugnant to others: For sithence the time of King H. 3. (in the ninth yere of whose raigne *Magna Charta* the first Statute that we haue in print, was made) there haue bin a great number of Statutes written, some in Latin, some in French, some ordeined to be in force for one Kings time, some for an other, some repealed in part, & confirmed in part, some repealed by especial, and some by generall words, (as by three branches of three seuerall Statutes, there be at the least 120. other Statutes and branches of Statutes repealed.) So that time hath wrought triall, much triall hath procured a number, a number provided at seuerall times, by seuerall persons, and to seuerall endes, hath brought in some question which be in force, and which not, and thereby imprinteth feare to many willing mindes to read, & discouragement to vnderstand those Lawes, which otherwise they would in their knowledge imbrace, & in their deedes obey. Whereupon considering with my selfe, how careful our Princes haue bin in all ages to provide good Lawes, how mindfull to publish them, & how desirous to see them obserued: And againe remembring how ioyfull euery good Subiect is of good Lawes, how ready to learne them, and how obedient to execute them, and that the Prince and the Subiects doing their parts, onely time (the beginner, increaser, and subuerter of humane policies) hath wrought some defects, and procured some difficultie in vnderstanding of our Statute Lawes, euer meant to be most plaine & easie to conceiue: I therefore (Right worshipfull) haue vndertaken to publish in our English tongue, the most effectual Statutes which be generall, and at this day in force

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in force and vse, together with those Statutes which do limit the authoritie and dunctie of Iustices of Peace, Shirifes, and certaine other necessarie Magistrates, and which do teach them how to rule, and how to obey. Wherein my meaning in the beginning of mine interprise, was to see downe no other Statutes, but which be to all, or at the least, to some intents in force, & not any, which either be wholie repealed, or wherof the vse to all intents is taken away, hauing an earnest desire, and a speciall good will to collect all those Statutes, and branches of Statutes, which be receiued as Law and in force at this day, and none but which be in force and allowed for Law. But since Salomon himselfe proclaimed Eccles. 8. meth, that mans wisdom is vnperfect, and his knowledge in each Science vncertaine: Therefore I being vtterly destitute of that wisdom, and but of slender knowledge in the Lawes wherein I deale, neither may doe, nor will presume to thinke that by any meanes I am able to perfourme my desired interprise, or to bring to perfection this so waigh-tie a matter, and so intricate a cause: For though I may say with Saint Paul, *Nihil mihi conscius sum*, I know not what I haue mistaken, or wherein I haue erred: yet will I not dare to report, or be encouraged to affirme, that my worke is perfect, or that I haue fully perfourmed my Title, and long wished attempt: And for that cause standing in doubt whether I were best to conceale many truths, or aduenture to report some errors: The learned Philosopher *M. Tullius* whispered in mine eare, *Quod falli, decipi, errare, humanum est*, and telling me, (so farre as his prophane knowledge extended) to what vse I was borne, and to whose benefite I should liue, he pressed me to hazard some part of my credite to doe my Countrey and Countrey-men good, auowing by all his gods, that if the valiant *Horatius Cocles* had not aduentured his life, and the lingring *Q. Fabius* his honour, for the benefite of their Countrey, it is like that Rome, and the name of Romanes had bin cleere extinct long time before the Romane Monarch began. But as it hath pleased you (Right worshipfull) for the zeale you beare vnto Iustice, the care you haue of your Countrey, and the good will you owe vnto euery good Subiect, to be a furtherer of all honest and vertuous proceedings, and amongst others to encourage me in this my travell, and to assitt me with your sage aduice: so if in continuing your said affection, you will vouchsafe to become amongst vs, an other *Iustinian*, you shall doubtlesse find *Tribonian* and many of his fellowes ready with reuerence to attempt your wholesome directions, and execute your lawfull deuices, and willing not onely to remoue those imperfections, which by my weaknes of iudgement, or slacknes of consideration haue hapned in this Treatise, but also to polish and reforme the necessarie works of seuerall wise and learned men in the Lawes of this Realme, wherin time hath wrought some defects. And as experience, & diuers writers do tell vs, that

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that the name of *Iustinian* remaineth famous to this day in most ciuil Nations vnder Heauen, for onely causing other men to collect into order and a small number of bookes, the Ciuil Lawes ordeined by other Princes: So you by procuring to be reduced into some perfect Method the confused number of our Lawes prouided in seuerall ages, in seuerall manner of gouernements, vpon seuerall causes, and to seuerall endes, may purchase to your selfe perpetuall renowne of all Englishmen, whilest these our English Lawes shall rule them. And as we, which now enioy the benefits of your trauaile in place of Iustice, do worthily esteeme you being living, so shall our posteritie yet vnborne, tasting the fruits of your said industrie, and receiuing instruction by your direction, reuerence your name by the space of many generations, after your Soule shall rest in Ioy.

*From Lincolnes Inne by
your Worships to vse,*

FARDINANDO PVLTON.

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FINIS.



ANNO 25. Ed. 3. It was agreed in Parliament, that the Law of the Crowne of England, is and alway hath bin such, that the children of the Kings of England in whatsoeuer partes they be bozne, in England, or els where, be able & ought to haue the inheritance after the death of their ancestors: the which Law was confirmed by the said King Ed. 3. the Lords and Commons there assembled to remaine for euer. And in the right of other children bozne out of the legeance of Englañd, in the time of the said King Ed. 3. it was there agreed, that Henrie sonne of Iohn of Beaumont, Elizabeth the daughter of Guy of Brian, and Iohn the sonne of Raulfe Daubney, and others which the said King Ed. 3. would name (the which were bozne beyond the sea, without the legeance of England) should be from thenceforth enabled, to haue and enioy their inheritance after the death of their auncesters in all parts within the legeance of England, as well as those which should bee bozne within the same legeance.

Kings children bozne beyond sea, inheritable in England.

2 And it was then further enacted, that all children inheritable which should be bozne without the Kings legeance, which childrens father and mother at the time of their birth, shalbe vnder the faith & legeance of the King of England, shall enioy the same benefits, to haue and take inheritance within the same legeance, as other the foresaid inheritors, so that the mothers of such infants do passe ouer the sea, by the licence and good willes of their husbands. And if it be alledged against any such bozne beyond the Sea, that he is a bastard, in case where the Bishop ought to take cognisance of the bastardie, the Bishop of the place where the land demanded is, shalbe commaunded to certifie the Kings Court where the plee dependeth, as in auncient time it hath bin vled in case where Bastardie is alledged against them, which be bozne in England. 25. Ed. 3. Stat 2. de natis vltra mare.

Children inheritable where their mothers passe the sea, by licence of their husbands.

Trial of Bastardie pleaded against him which is bozne beyond the sea.

3 By the statute made. 31. H. 8. 6. All religious persons professed, as wel men as women which were or after should be set at libertie, by suppression, dissolution, &c. of their Monasteries, abbeys, priories, &c. (or which were translated from one corporation to another. 33. H. 8. 29. & the Prior, Brethren or Coufriers of the Hospitall of Saint Iohns of Hierusalem in England and Ireland. 32. H. 8. 24.) from & after the time that they were set at liberty, were enabled to purchase to them and their heires in fee simple, fee taile, for terme of life, yeres, or at will, any manors, lands, tenements, rents, annuities, and other hereditaments and things whatsoeuer. And also to sue, and to be sued in all actions, plaints, and suites whatsoeuer, for any matter or cause growen, after the time of their seuerall distraignments, or departing out of their religion, in all Courts and places

Religious persons enabled to inherit, purchase, sue & be sued.

Abridgement of plaints. Actions populer.

Within the Realme, & to receiue, take, and enioy euery lawfull thing to them growen or happened, after their departing out of their religion, in as ample manner, as if they had neuer entred into religion. But by the said statute of 3 I. H. 8. and the statute 5. E. 6. 13. it was prouided that none of the said religious persons should be taken & iudged as heire or inheritable to any person, by reason of any former right, title, interest or cause, had, made, discended or growen, befoze their seueral deraignement or departing out of religion.

1 That the examination of the abilitie of a Parson presented to a benefice doth pertaine to an Ecclesiasticall Iudge. See Ecclesiasticall, 3.

Abridgements of plaints.

The plaintife in assise, may abridge his plaint.

The plaintife in euery assise, may at his pleasure seuer and abridge his plaint, of any part or parts, whereunto any barre is pleaded, in such like manner as he might do in case that plees in barre had bin made, and deuied to any certainty or number of acres in the plaint. And the plaint for the residue of the part or parts of the lands not abridged, shalbe and stand good in the Law, 2 I. H. 8. 3.

Actions popular, Informations.

Action popular sued by collusion

If an action popular be sued against any man by collusion, & the plaintife in the same do recouer against the defendant, or be barred, any other person may afterwards sue against the same defendant another action popular with good faith, & shall in the same recouer and haue execution, if the recouery or barre in the first action be found to be by couin. And the defendant being attainted of couin, shall haue two yerres imprisonment, by proces of Capias & Vclagarie, to be sued within the yere after iudgement giuen, or at any time after, untill the defendant be had & imprisoned, & that as well at the Queenes suit, as at euery other persons that will sue in that behalfe. And no release of any common person, made to any party befoze, or after an action popular or indictment hanging, shall be available to let or surcease the said action, indictment, proces, or execution.

No couin shal be auerred where there hath bin trial by verdict.

Prouided alwaies, that no plaintife or plaintifes be in any wise receiued to auerre any couin in any action popular, where the point of the same action, or els collusion haue bin once tried, or lawfully found, with, or against the plaintife by trial of xii. men, & not otherwise. 4. H. 7. 20.

Within what time actions populer shal be sued.

2 All actions, suites, bills, indictments, or informations which shalbe had, brought, sued, or exhibited, for any forfaiture vpon any statute penal, made or to be made, whereby the forfaiture is or shall bee limited to the Queene, her heires or successors onely, shalbe had, brought, sued or exhibited, within two yerres next after the offence committed or to be committed against such act penall & not after two yerres. And all actions, suites, bills or informations which shalbe had, brought, sued or commenced for
any

any forfeiture vpon any penal statute made, or to be made, the benefite and suit wherof is or shalbe by the said statute limited to the Queene her heires or successors, and to any other which shall prosecute in that behalfe, shall be had, brought, sued, or commenced by any person that may lawfully pursue for the same within one yere next after the offence committed, or to be committed, against the said statute, and in default of such pursuite, then the same shall be had, sued, exhibited or brought for the Queene her heires or successors, at any time within two yerres after that yere ended. And if any action, suite, bill, indictment, or information for any offence against any penall statute made or to be made, shall be brought after the time in that behalfe before limited, then the same shall be void and of no effect, Any Act or statute made to the contrary notwithstanding. But where any action, information, indictment or other suit, is or shall be limited by any statute penall, to be had, sued, commenced or brought within shorter time then is afore rehearsed: in euery such case, the action, information, indictment, or other suite shall be brought within the time limited by such estatute. 31. Eliz. 5. In what time the offenders shall bee sued vpon the statute of Tillage. See Husbandry 26.

3 Euery Informer vpon any penall statute, shall exhibite his suite in proper person, and pursue the same onely by himselfe or by his Attorney in Court. None shall be admitted or receiued to pursue against any person vpon any penall statute, but by way of Information, or original action, and not otherwise, nor shal haue ne vse any deputy at all. And vpon euery such Information, which shall bee exhibited, a speciall note shall be made of the very day, moneth and yere of the exhibiting thereof into any office, or to any officer, which lawfully may receiue the same, without any maner of Antedate thereof to be made. And the same Information shall be accompted to be of Recorde, from that time forward and not before. No proces shall be sued out vpon any such Information, untill the Information be exhibited in forme aforesaid. And vpon euery such proces shall be indorsed as wel the parties name that pursueth the same Proces, as also the statute vpon which the Information in that behalfe made, is grounded. And euery Clarke making out proces contrary to the tenor and prouision of this Act, shall forfeit for euery such offence xl. shillings to the Queene & the party against whom any such defectiue proces shall be awarded, to be recouered in any Court of Record by action, Information, &c. wherein no Wager, Essoine, P. or Intinccion &c. 18. Eliz. 5. 27. Eliz. 10.

Information exhibited in proper person.

Information, original action. No Deputies.

A note of the day, moneth and yere.

Indorsement of the information.

4 No such Informer or plaintife shall compounde or agree with any person that shall offend, or shall be surmised to offend against any penall statute for such offence committed, or pretended to be committed, but after answere made in Court vnto the information, or suit in that behalfe exhibited or prosecuted, nor after answere, but by the order or consent

No Informer shall compound with the defendant but by consent of the Court.

of the Court, in which the same information or suit shall be depending, upon paines & penalties hereafter declared. And if any such Informer or plaintife shall willingly delay his suit, or shall discontinue or be nonsuit in the same, or shall haue the triall or matter passe against him therein, by verdict or iudgement of Law: Then the said Informer or plaintife shall pay vnto the defendant his costes, charges and damages, to be assigned by the Court, in which the same suit shall be attempted. For the recovery and execution whereof, euery such defendant shall immediatly vpon the same costes, damages, &c. assigned, haue his Capias ad satisfaciendum, Fieri facias, or Elegit, to be awarded vnto him out of the same Court, in which the same shall be so assigned, as in other cases of Execution. 18. Eliz. 5. 27. Eliz. 10.

Costs & damages, if the informer delay, discontinue, be nonsuit or haue the matter passe against him.

The punishment of the Informer, offending.

5 If any person or persons (except the Clerkes of the Court onely, for making out of proces otherwise then is aboue appointed) shall offend in suing out of proces, making of composition, or other misdemeanour, contrary to the true meaning of this statute, or shall by colour or pretence of proces, or without proces, vpon colour or pretence of any matter of offence against any penall Law, make any composition, or take any mony, reward, or promise of reward, for himselfe, or to the vse of any other, without order or consent of some of the Queenes Courts at West, then he or they so offending, being thereof lawfully conuicted, shall stand on the Pillory in some market towne next adjoining, where the same offence shall be committed, in the open market time, & there remaine by the space of two houres: And shall after such conuiction for euer be disabled to pursue or be plaintife, or informer in any suit, or information vpon any statute populer or penall: And shall also for euery such offence, forfeit x. li. to the Q. and the party greeued, to be recovered by A. J. &c. wherein no W. &c. E. P. or Injunction, &c. 18. Eliz. 5. 27. Eliz. 10.

Statutes against Maintenance, &c.

6 But it shall be lawfull for euery person grieved by meanes of any maintenance, champerty, buying of titles or imbracery, to pursue vpon any statutes provided against maintenance, &c. as he might haue done before the making of this act. 18. Eliz. 5. 27. Eliz. 10.

Penalties giuen to persons certaine.

7 This act shall not extend to any suit depending (before the viii. day of February, 1575.) nor shall restraine any certaine person, body politike or corporate, to whom, or to whose vse any forfeiture, penalty or suit, is or shall be specially limited or graunted by any statute and not generally to any person that will sue, but euery such person &c. may in such case sue, informe &c. as he might haue done, if this act were neuer made. 18. Eliz. 5. 27. Eliz. 10.

Informers restrained by order of Court.

8 No person other then the party grieved, shall be receiued to informe or sue vpon any penal statute that before y^e time hath bin for any misdemeanour by any order of any the Queenes Courts ordered not to follow or pursue any suit vpon any penall statute. 31. Eliz. 5.

9 In any declaration or information to be had, brought, sued, or exhibited, the offence against any penall statute, shall not be laied to be done in any other County, but where the contract or other matter alleaged to be the offence was in truth done. And euery defendant in such action or information shall and lawfully may traaverse and alleage, that the offence supposed by the same suite to be committed, was not committed in the County where such offence is alleaged: which being tried for the defendant, or if the plaintife bee thereupon nonsuite in his Information or suite, then the plaintife shall be barred in that action or information, any law or vse to the contrary notwithstanding. 31. Eliz. 5.

The County expressed where the offence was done.

10 This act shall not extend to the laying or alleaging of any offence in any declaration or information, for or concerning any champertie, buying of titles, or extortion, or any offence committed or to be committed against the statute made Anno 1. Eliz. intituled, An act limiting the times for laying on land, marchandise from beyond the Seas, and touching customs of sweet wines. And one other Act made in the said Anno 1. Eliz. intituled, An Act of a Subsidie of Tonnage & poundage, or any thing in any of them contained, or for the concealing or defrauding the Queene her heires or successors, of any custome, tonnage, poundage, subsidie, impost, or prize, or for any matter of corrupt Usury, or for any offence comprised in any statute made, or to be made, against ingrossing, regrating, or forestalling where the penaltie or forfeiture shall appeare to be to the value of xx. li. or above. But euery such offence shall or may be layed in any County at the pleasure of any such Informer: Any thing in this Act &c. notwithstanding. 31. Eliz. 5.

Certain offences whereupon information may be in any County.

11 All suites to be pursued upon any statute for vsing any unlawfull game, or for not vsing any lawfull game, or for not hauing bowes and arrows according to the Law, or for vsing any art or mystery in the which the partie hath not bin brought vp, according to the statute in that behalfe made, shall be sued and prosecuted in the generall Quarter Sessions of the peace, or Assises of the same County where the offence shall be committed, or otherwise enquired off, heard and determined in the Assises, or generall Quarter Sessions of the peace of the same Countie, where such offence shall be committed, or in the Leete within which it shall happen, and not in any wise out of the same County, where such offence shall happen to be committed. 31. Eliz. 5.

Offences onely punishable at the Sessions, Assises or leete.

12 The foresaid Acts (of 18. El. 5. 27. El. 10. 31. El. 5. shall not extend to any such officer of Record, as haue in respect of their offices heretofore lawfully vsed to exhibit Informations, or sue upon penall Lawes. But they and euery of them may informe and pursue in that behalfe as they might haue done, &c. Any thing in these Acts, &c. notwithstanding. 18. El. 5. 27. El. 10. 31. El. 5.

Officers vsing to exhibit Informations.

1 That the defendant shall be admitted to haue a Tales de circumstan-

Accomptants and debtors to the Queene.

tibus in Actions popular. See Iurors 26.

2 That the Iurie in suites vpon penall Lawes, shall not be compelled to appeare at Westminster. See Iurors 31.

3 That certaine Iustices haue authority to heare and determine offences committed by Informers. See Iustices of peace. 57.

Accomptants and debtors to the Queene.

The forme & effect of obligations made to the Queene.

An obligation made to the Q. is in the nature of a statute staple.

Who shall haue the Queenes debts after her decease.

The Queene shall recouer costes and damages.

Debts due to the Queene by attainder, forfeiture, gift, &c.

All obligations and specialties which shalbe made for any cause in any wise concerning the Queene or her heires, or to her, or their vse, commodity or behoofe, shall be made to her and to her heires, Kinges or Queenes in her or their name, by these wordes, *Dominæ Regina*, and to none other person to her vse, and to be payed to her by these wordes, *Soluum eundem dominæ Regina*, heredibus vel executoribus suis, with other words vsed in common obligations. And if any person make or take any Obligation to the Queenes vse in any other maner, he shall suffer such imprisonment, as shalbe adiudged by the Queenes Counsell. And all such obligations & especialties so to be made, shalbe effectuell in the Law, to all purposes, and shalbe in the same nature, and effect to all intents, as the writings obligatoory taken and knowledged, according to the statute of the Staple at Westminster, haue at any time bin taken and executed against any lay person. 33. H. 8. 39.

2 All such Obligations and especialties, the debt whereof being not paid nor contented in the life of the King or Queene, shall remaine and be to the heires or executors of the King or Queene, at the free libertie & appointment of the same King or Queene, &c. to whom the same shall be made. 33. H. 8. 39.

3 The Queene in all suites to be taken vpon any specialty made to her grace, or to any to her vse, shall recouer her iust costes and damages as other common persons vse to doe, in suites for their debts. 33. H. 8. 39.

4 In all actions, and suits to be taken or pursued in any of the Courts of the Eschequer, Duchy of Lancaster, or Wards and Liveries for the recovery of any debt, which shall appertain, accrue, or be to the Queene, by reason of any attainder, outlawry, forfeiture, gift of the party, or by any other collateral meanes: It is sufficient to alleage in the said suit generally, that the party to whom the said debt was due or did belong, such pere and day did giue the same debt to the Queene, or was attainted, outlawed, or other offence, for forfeiture, or thing committed, by reason whereof the said debt did accrue, and ought to remaine and come to the Queene, & the same matter so alleaged in generality without shewing the circumstance thereof, shall be of as good effect in the law to all intents, as if the whole matter were alleaged in euery point. 33. H. 8. 39.

5 If any suit be commenced, or any proces be awarded for the Q. for the recovery of any her debts, the same shall be preferred before the suit of any other person, and the Queene, her heires and successors, shall have first execution against any defendant for her said debts before any other person, so alwaies that her suit be commenced or processe awarded for the said debt at the suit of the Queene, &c. before iudgement given for the said other person. 33. H. 8. 39.

The Queenes suits shall be preferred.

6 All Manors, lands, &c. and hereditaments the which shall come or be in, or to the hands of seisin of any person to whom the same shall descend, reuert or remaine in fee simple or in fee taile, generall or speciall, by from, or after the death of any of his auncesters as heire, or by the gift of any his auncesters, whose heire he is, which said auncestor shall be indebted to the Queene, or to any other person to her vse, by Iudgement, Recognisance, obligation or other specialty, the debt whereof shall not be contented & paid, then in euery such case the same Manors, lands, &c. shall be and stand charged, to, & for the payment of the same debt, & of euery part thereof. And our said Soueraigne Lady, her heires and successors, shall not be barred or delayed to demanda, haue & receiue her lawful debts and duties against any of her subiects as heire or heires to any person indebted to her highnesse or to other persons to her vse, albeit this word (Heire) be not comprised in such recognisance, obligation, or specialty: or that any such person shall alleage that he hath not any manors, lands, or hereditaments to him descended, but onely such as be intailed or giuen to him by any his auncesters, to whom he is heire. But the Queene, her heires and successors may at her &c. liberty & pleasure, demanda & recouer her said debt against any executor or executors, administrator or administrators, of any such person indebted, if he or they shall haue assets in his or their hands in deede or in Law. 33. H. 8. 39.

Lands entailed, chargeable to the payment of the Queens debts.

Specialties made to the Queene without this word (Heire.)

The Queene may recouer her debt against the executor.

7 But if the said Manors, lands & hereditaments, or any of them, shall be recovered from the possession of any such person, by any iust or former title, without fraud or couin, which be chargeable as is aforesaid, then they shall be clerely discharged, of the payment of the said debts, and of euery part thereof. 33. H. 8. 39.

Lands recovered by former title.

8 If any person of whom any such debt or duety shall bee demanded, doe shew in any of the said Courts, sufficient matter in Law, reason or good conscience, in discharge of the said debt, or why such person ought not to be discharged with the same, and the same matter so shewed be sufficiently proued in such one of the said Courts as he shall be impleaded or troubled for the same, then the said Courts haue full power to allow the same prooofe, and clerely to discharge euery person that shall be so impleaded. 33. H. 8. 39.

Upon sufficient matter proued the court may discharge the supposed debtor.

9 If any lands &c. which shall bee charged, to, or with the debt of our said Soueraigne Lady her heires or successors, shall be in the seisin of

When the debtors lands come into seuerall mens hands,

Accomprants and debtors to the Queene.

viuers persons, other then the obligor, or obligors, then al the said lands, &c. and euery parcel of them, shalbe wholly, & in no wise seuerally chargeable with the painment of the said debt and duetie. 33. H. 8. 39.

Officers bound
with suertie for
their true ac-
compt and pay-
ment.

10 Euery person named or appointed to be Treasurer, or general or particular Receiuer, Collector, or Bailife, or Minister accomptant to the Queene, shal befoze his entrie, erecuting, vsing or exercising of his Office, whereunto he shal be so nominated or appointed, together with suretie or sureties, acknowledge, and make sufficient and lawful bonde or bonds to the Queene, in such Court of Record, where the same Officer shalbe accomptable and chargeable, that he, his heires, executors, administrators, assignes or deputies, shal truely accompt, and pay all such summes of money as shall come to his hands, or shall, may, or reasonably might be charged with, concerning his office to the Queenes vse, within the circuit of his receipt and collection, at such or like daies and times, and in such manner as is hereafter expessed to bee contained in the conditions of euery of the said bondes, vpon paine of forfaiture of his Office and of his Letters patents of the same Office. 7. Ed. 6. 1. See 15. 16. 17. 18.

Receiuers pre-
cepts to the ac-
comptants.

11 Euery Receiuer of the Queenes lands, rents, and reuenues, or his deputy, shall perely make his seuerall precepts to all and singuler the Collectours, Ministers, and Bailiffes accomptant within the Circuit of his office, commaunding them on the Queenes behalfe by the same precept to appeare befoze him personally, or by their sufficient deputy or deputies, for whom they will aunswere, within the County where the same Offices, Bailiwicks, &c. or collections doe lie, at a certaine day and place in the same precept to be limitted, and to pay to the Queenes vse such summes of money as they ought to doe, by reason of any their said Offices being due to the Queene, at or befoze the feast of Easter, which they haue or may by any lawful meanes receiue, within or by reason of their said offices, and the same precepts shall be seuerally deliuered to euery of the said officers accomptant, or to their deputies, or els bee left at their dwelling houses, or at the manor or place where their receipt is, or ought to be, twelue daies at the least befoze the day of appearance to them giuen in the same precept. And if any of the said Ministers, Collectors or Bailiffes accomptants, after any such precepts made by any such Receiuer, and deliuered or left in fourme aforesaid, do make default at the same day and place assigned by the same precept, and being thereof lawfully conuicted in the Court where the reuenue shall be answered, he shall for the first offence forfait to the Queene his whole fee for that yere, wherein he shall so make default, or the value thereof, and for non payment of the said money due and payable at or befoze the said feast of Easter vnto the Queene, within or by reason of his abouelaid office, collection or Bailiwicke, shall forfait for the first offence of non payment vi. s. of the pound

The halfe
yeres rent due
to the Queene
at Easter.

The forfaiture
where the ac-
comptant ma-
keth default.

in the name of a paine, for euery moneth after the sayd day of apperance, vntill the same money shall bee by him or his deputie payd to the hands of the said receiuer, to the Queenes vse. And after the first default of apparance made by any of the said officers, and another like precept by the said receiuer be made and deliuered or left in forme aforesaid, then the said officer making againe default, and being thereof lawfully conuicted as is aforesaid, for the second default of non apparance, shall forfeit to the Queene his office and fee. And for the said second offence, in the non payment of the said money due and payable by reason of his office, at or before the said feast of Easter, shall forfeit xii. s. of euery pound, in the name of a paine, for euery moneth after the said last day of apparance, and default made as is aforesaid, vntill the same money shall bee by him or his deputie, payed to the handes of the said Receiuer to the vse of the Queene. 7. Ed. 6. 1.

Second default.

12 Euery Auditor of the Queenes, of her landes, possessions, rents, and reuenues, for the time being, or his sufficient deputie, shall haue full power verely to make his preceptes to all Ministers, Collectours and Bailifes accomptants, commaunding them in the behalfe of our said Soueraigne Ladie, to appeare and accompt before him personally, or els by their sufficient deputy or deputies, at a place certaine within the Countie where the same lands and possessions do lie, at the Queenes Audite to be holden there verely, betweene the feast of Saint Michael the Archangel, and the natiuity of our Lord God, of, and for all rents, reuenues, and profits, due and payable within, or by reason of their said offices &c. at or before the feast of S. Michael the Archangel next before the same Audite, expressing in the same preceptes, the time and place when and where the same Ministers, Collectours and Bailifes accomptable, or their sufficient deputies, for whom they will answer shall appeare, the same preceptes to be deliuered to the same Ministers &c. accomptable, or their deputies, or left at their dwelling houses, or at the manor or place where their collections are or ought to be, twelue daies at the least, before the day of apparance to them prefixed in the same preceptes. And if any Minister &c. accomptant do not appeare before the said Auditor or his deputy at the said Audite according to the said precept, or els if he do appeare and refuse to accompt for his said receipt &c. before the said Auditor &c. and being thereof lawfully conuicted in the Court where the reuenue shall be answerable, he shall for his first offence forfeit to the Queene his whole fee for that yere, wherein he shall so make default, or the value thereof. And for the non payment of the said money due and payable within his collection &c. at or before the said feast of Saint Michael the Archangel, shall forfeit to the Queene for his first offence six pence of euery pound, in the name of a paine, for euery moneth after the sayd day of apparance and default made, as is aforesaid, vntill he or his sufficient deputie shall accompt

Auditors preceptes to the accomptants.

The half yeres rent due to the Queen at Michaelmas.

Twelue daies warning. If the accomptant makes default.

Accomprants and debtors to the Queene,

compt before the said Auditor or his deputy for his said collection &c. And also pay vnto the hands of the said Receiuer euery such summe of money, as shalbe iustly found due by the said accomptant before the said Auditor &c. to the Queenes Maiestie, vpon the foote and determination of his accompt. And after the first default of apparance made before the said Auditor &c. by any of the said Officers accomptant being so warned as is aforesaid, and after another like Precept made & deliuered or left in forme aforesaid, then that said officer that so shall make againe default of apparance, for the said second offence in making default of his apparance as is aforesaid, and being thereof duely convicted in the court where the reuenue of his said office shalbe answerable, shall forfeit to the Queene his office and fee. And for the second offence in the non payment of the said money due & payable by reason of his receipt &c. at or before the said feast of S. Michael, shall forfeit to the Queene xii. s. of euery pound in the name of a paine, for euery moneth after the said last day of apparance and default made, as is aforesaid, vntill he or his sufficient deputy, shal accompt before the said Auditor or his deputy, for the said receipt, collection, or bailiwiki, and also pay vnto the handes of the said Receiuer or his deputy to the Queenes vse, all such summes of money, as shall be iustly found due by the said Accomptant, vpon the foote and determination of his said acco^upt. 7. Ed. 6. 1.

Second default.

Officers accomptants concealing duties

13 See the foresaid statute of 33. H. 8. 39. if any Bailife, Reeue or other officer accomptant of the Queenes, vpon the declaration of his accompt, doth willingly conceale and withdraw any rent, reuenue, fine, harriot, or other casualty whatsoeuer it be, of the which he ought to haue made accompt, and that duely proued before the head officer of the Court where &c. he shal lose his office and fee, and threë times so much as he hath concealed.

The Queenes bailifes may distraine for arerages.

14 Euery Receiuer, Collector and Bailife of any of the Queenes landes, rents, or reuenues, for lack of payment and leuying of their said rents, issues, and reuenues within their offices, haue power to distraine for the same, and to order the same distresses in such sort, as any officer of the Eschequer, for leuying of the Queenes reuenues, answerable in the same court, heretofore haue done, and may lawfully doe, deliuering to the party distrained the surplusage of the value of euery such distress (if any shalbe) the Queenes duties being first paid, and the distrainant answered of reasonable costes. 7. Ed. 6. 1.

Within what time the receiuers shall make payment.

15 Euery receiuer of the Queens landes, rents, reuenues &c. shal make ready and full payment yerely to the Treasorer, or generall Receiuer of the court, where the said reuenues shalbe answerable, or otherwise as he shalbe appointed by sufficient warrant, of all such summes of money as he shall know to be due to the Queene, and can by any lawfull meane get or receiue of the rents or reuenues of our said soueraigne Lady, within or by reason

reason of his office, being due at or before the feast of Easter, by the xx. day of June then next following at the farthest. And also shall make like payment perely of all his like receipts of the rents &c. that shalbe due at or before the feast of S. Michael the Archangel by the twentieth day of January then next following at the furthest, vpon paine of forfaiture for euery default at any of the said daies, two pence of euery pound for euery day that the said money so by him shalbe vnpaid. 7. Ed. 6. 1.

16 Euery of the said Receiuers, or their deputies for whom they will answere, shall enter into their accompt perely in the terme of S. Hillary, and fully finish the same before the tenth day of March then next following, and make full and ready payment of the money that shall appeare to be due vpon the foote of the same accompt, before the twenty day of the said moneth of March, vpon paine of forfaiture to the Queene their offices and fees, and foure pence of the pound for euery day that they shall withhold the said money. 7. Ed. 6. 1.

When the receiuers shal accompt.

17 All Treasozers, Chamberlaines, and generall Receiuers of any of the Queenes courts of reuenuie for the time being, and all customers and collectors of customes, or certaine and stalled Subsidies within any port, haven, or creeke of the realme of England, which now be or hereafter shal be, within ten daies next after notice to him or them giuen from the Q. or fire of her priuie Counsell, in wryting signed with their hands, shall by themselves, or their sufficient deputies for whom they will answere, declare in wryting, what summes of money then being due vnto our said seueraigne Ladie, be at that time in his or their hands, and shall make ready and full payment of all the said summes, as then shall remaine in his or their hands (ouer & aboue the ordinary payments and summes of money contained in sufficient warrants remaining in their offices, and being in their full force, and not lawfully countermaunded, nor reuoked to their knowledge) to the vse of the Q. at such time and in such sort as they shall be commanded by sufficient warrat, vpon paine of forfaiture of his or their office or offices. 7. Ed. 6. 1.

These accomptants shall declare what money they haue, & make ready payment.

18 The same Treasozers, Chamberlaines, and generall Receiuers, by themselves, or their deputies for whom they will answere, shall perely before the xx. day of June make a perfect accompt of all such money or treasure, as hath come to their hands to the Queenes vse, perely at or before the xx. day of March, then next before the said xx. day of June, and shall make a perfect declaration in wryting of the money remaining in euery of their hands, to the Queene or to her priuie Counsell, perely before the last day of June then next following, and make payment of the same at such time, and in such sort, as they shall be commaunded by sufficient warrant, vpon paine of forfaiture of their offices. 7. Ed. 6. 1.

Within what time these accomptants shal make their accompts perely.

19 If any Auditor or his deputy, which ought to take the accompt of any Treasozer, Chamberlaine, Receiuer, or other officer accomptable

If the Auditor refuse or delay to take the accompt.

Accomptants and debtors to the Queene.

before him, doe refuse or willingly delay the taking of the same accompt in such wise as it cannot be finished within the time appointed by this act, then he being thereof duely convicted in the Court where the reuenue or charge of the same accompt shalbe answerable to the Queene, shall loose such like forfeiture as the Treasorer, Chamberlaine, Receiuer, or other officer, abovesaid ought to doe by this acte, for not accompting of and for their charges and office or offices: And thereby the same Treasorer, Chamberlain, Receiuer, and other officer that should accompt, and shall be refused or delaied, shalbe discharged of any paine, losse or forfeiture for not accompting. 7. Ed. 6. 1.

The copie of
the accopt deli-
uered to the ac-
comptant.

20 The duplicat or copie of euery accompt that shall be made by any Treasorer or Receiuer, or by their deputie in forme aforesaid, within conuenient time after the finishing of the same, and at the reasonable request and costs of such accomptant, shalbe deliuered vnto them subscribed with the hand of the Auditor that shall take the same accompt, or of his deputy &c. vpon paine that the same Auditor shal forfeit to the Queene for euery such default x. li. 7. Ed. 6. 1.

Bishops for
tenthes.

21 But this acte shall not charge any Archbishops, or Bishops, to make any bonds, or to make their accompt and payment of the tenthes arising within any of their Dioces due to the Queene, in any other maner then they haue bin charged or accomptable and chargeable by the Lawes and statutes of this Realme. 7. Ed. 6. 1.

Sherife.
Escheator.
Collector.

22 Neither shall this act extend to touch, or charge any Sherife, Escheator, or collector of any Dismes, Quindismes, beneuolences, contributions or Subsidies (subsidies of Tonnage and Bondage onely except) but that euery of them may exercise their said seuerall offices, and pay such summes of money, as any of them shall be charged with all by their said seuerall offices, in like sort as euery of them haue vsually done, or ought to do if this act had neuer bin made. 7. Ed. 6. 1.

Collector of
Fifteens, Sub-
sidies and other
taxes.

23 Euery high Collector of any Fifteene, Subsidie, or other taxe or lone, shall within threemonths next after such times as the same shalbe due, & payable to the Queene, her heires or successors by any statute, ordinance, or other meane, and by the same Collector receiued, truly pay the same to the Queenes vse, at such place, and to such person as shall be named for the same, vpon paine to forfeit to the Queene, her heires, and successors, for euery pound so being receiued, and after that retained, kept or laid out for gaine, and not payd within threemonths to the Queenes vse, as is aforesaid, foure shillings for euery moneth that the same money shall be retained, kept or laid out for gaine, and also shall lose his Office concerning the same, and all profits thereunto belonging. And the Queene shall at her pleasure, charge the said Collector, vpon his accompt, with the penalty and forfeitures aboue rehearsed, or els recouer the same by action, bill, plaint, or suit of debt against the same Collectour, his heires,

Execu.

Executors or administrators, wherein no *M. &c. E. or W. &c.* 34 Hen. 8. 2.

24 If any of the said Collectors tender payment of all such money by him receiued to the Queenes vse within the said thre moneths, in such place, & unto such person as shall be charged with the receipt of the same, and do as much as in him then shalbe for to make true paiment therof, and cannot be thereunto admitted by reason of importunate busines, or other lawful impediment in him that should receiue the same, the the same Collector &c. shall not be charged with, or incurre any danger or penaltie contained in this act. 34 H. 8. 2.

The Collectors paiment being tendered shal suffice.

25 The heire of anie Collector aforesaid, (or of any Receiuer of the Eschequer, Duchie of Lancaster or court of Wards and Liueries) shall not be charged by reason of this act, but onely for and in such lands &c. or hereditaments, which he shall haue by discent in fee simple, or fee taile, or by gift, or els by any other assurance made to any such heire onely by couin from the said Collector, or Receiuer, or any of their assignes. And in euery such case, the Queene her heires and successors, shal haue execution onely of and in such lands &c. or hereditaments descended, giuen or otherwise assured as is aforesaid, vntil such time as her Maiestie &c. be fully satisfied of euery such summe of mony due by any such collector or Receiuer 34 Hen. 8. 2.

How farre the Collectors heir shalbe charged.

26 The executors or administrators of euery such Collector, shall not be otherwise charged by this act, but as executors & administrators should be chargeable by the order of the comon law, in actions of debt vsed against them as executors or administrators. 34 H. 8. 2.

Collectors executors, or administrators charged.

27 Where the heire of any of the Queenes Collectors, Receiuers or debtors shalbe charged for his fathers or ancestors debts or duties whose heire he is, wherby the land descended or giuen to him by couin to defraud the Queenes execution thereof is put in execution, then such heire shal and may haue his action of debt against the executors or administrators of his said father or auncestor, and shall haue execution of the goods & cattels of the said father or auncestor being in the hands of the said executors or administrators at the time of the said action brought, in which action no *M. &c. or W. &c.* 34 H. 8. 2.

The heir being charged shall haue remedy against the executors &c.

28 This act of 34 H. 8. 2. doth not extende to the Collectors of the Queenes custome, nor of the Subsidie of Tonnage and Pondage, which be accomptable yerely in the Queenes Eschequer. And this act was provided for Receiuers also, but the foresaid statute of 7. Ed. 6. appointeth another order of accompt & paiment to them, and also other penalties.

Collectors of the custome of the subsidie of tonnage and pondage.

29 All landes, tenements, profits, commodities, and hereditamentes which any Treasurer, or Receiuer, in, or belonging to any of the Queens Courts of the Eschequer, Wards, and Liueries, Duchie of Lancaster, Treasurer of the chamber, Cofferer of the houlhold to the Queene, her heires and successors, Treasurer for the warres, Treasourer of anie fort,

These accomptants lands liable to the paiment of the Queens debts.

Accomptants and debtors to the Queene.

fort, Towne, or Castell, where any garrison is or shall bee kept, Treasorier of the Admiraltie or Naue, Treasorier, Undertreasorier, or other person accomptable to the Queene, her heires or successors for any office or charge, of, or within the Mint, Treasorier or Receiuer of any summes of money in prest, or otherwise for the vse of the Queene, her heires or successors, or for prouisions of victuall, or for fortifications, buildinges or workes, or for any other prouisions, to be vsed in anie the offices of the Queenes ordinance and artillery, armory, wardrobe, tentes and pavilions, or reuels, Customier, Collector, Farmor of Customes, Subsidies, Impostes or other dueties within any port of the Realme, Collectour of the Tenthes of the Clergie, Collector of any Subsidie or fifteene, Receiuer generall of the reuenues of any County or Countie answerable within the receipt of the Eschequer, or in the Court of Wardes and Liveries, or the Duchie of Lancaster, Clarke of the Hamper, now hath or at any time hereafter shall haue, within the time whilst he or they, or any of them shall remaine accomptable, shall for the payment and satisfaction vnto the Queene, her heires and successors, of his or their arrerages (at any time to be lawfully according to the Lawes of this Realme adiudged, and determined vpon his or their accompt, all his due and reasonable petitions being allowed) be liable to the payment thereof, and be put in execution for the payment of such arrerages, or debtes to bee so adiudged and determined vpon any such Treasorier, Receiuer, Teller, Customier, Collector, Farmer, Officer, or Accomptant as is afore named in like and in as large maner to all intents, as if the same Treasorier, Receiuer, or Collector, &c. vpon whom any such arrerages or debtes shall bee so adiudged, had the day hee became first officer or accomptant, stand bound by writing Obligatory, hauing the effect of a statute of the Staple, to her Maiestie, her heires or successors for the true answering and payment of the same arrerages or debtes. 13. Eliz. 4.

Where the
Queene may
sell the accomp-
tants lands.

30 If any Treasorier, Receiuer, Collector, &c. or other person accomptant before mentioned, which shall receiue or be chargeable with any money or treasure of the Queene, her heires or successors, and shall vpon the determining of his accompt (all his due petitions to him vpon the same accompt being allowed) or by reason of any Farme as afore- said, be found in arrerages, or to owe vnto our Soueraigne Lady, her heires or successors any summe of money, and shall not within the space of six moneths next after his accompts finished, or debt knowne, (hauing allowance of his due petitions) truly pay all such arrerages as hee shall owe vpon determination of his accompt, or vpon his debt knowne, then it shall be lawfull to the Queene, her heires and successors, at any time after the said six moneths ended, to make sale by her or their letters patents vnder the great seale of England, of so much of the landes, tene-
ments,

ments, and hereditaments of euery such accomptant or debtoꝝ, as may suffice our saide soueraigne Ladie, &c. for the satisfaction of his debt or ar-
rerages, untill her Maiestie &c. be by such sale fully satisfied of such ar-
rerages and debt to be found vpon accompt or farme &c. And if any o-
uerplus of money shall be reserved or had, vpon any such sale, then the
same shall be deliuered to the Accomptant or Farmer, or his heires, by
the officer that shall receiue the money, vpon any of the saide sales, with-
out any other warrant in that behalfe to be obtained, And all the sales
to be made by the Queene her heires or successors &c. shall be good and
auaileable in Lawe against the partie accomptant indebted, and his
heires claiming as heires, and against the Queene, her heires and succes-
sors, notwithstanding any former charge or incumbrance to her Ma-
iestie &c. by the person for whose debt the same shall bee sold. 13. E-
lizab. 4.

The ouerplus.

The sale good
against the
Queene and
accomptant.

31 If any person accomptant or indebted, as is aforesaid, shall at
any time after he shall become accomptant or chargeable, as is aforesaid,
purchase and buy, or cause to be purchased and bought, any landes,
tenements or hereditaments, and cause the assurance thereof to be made
in the name of any other person or persons, where the same is in deede
meant to the vse, profite, or behoofe of such person accomptant or in-
debted, or of any other person, and the same maner of purchasing and
secret vses &c. shall be found by office or inquisition, then all and euery
landes, tenements, &c. so to be bought or purchased, or caused to be purcha-
sed, shall be taken and vsed for the satisfaction of the arrearages and debt
of euery such accomptant or debtoꝝ to all intents, as though the person
indebted vpon his or their accompt or farme, were thereof actually seised
of such estate as was conueied to any person by any such accomptant or
debtoꝝ, or by his meanes as is aforesaid. And all sales to be thereof made
by the Queene her heires or successors for the satisfaction of such debt
or arrearages, as shall bee found to be due and owing to her, shall be of
the like effect, and be vsed in such like maner as is before (30) expessed
13. Eliz. 4.

Accomptants
purchase landes
in others
names.

32 All landes, tenements and hereditaments which any accomp-
tant before named hath heretofore sithence the beginning of the Queenes
raigne, purchased, or caused to bee purchased, to the intent the same
shoulde not bee lyable as is aforesayd (the couin being first founde
by office &c.) shall and may bee seised by her Maiestie, her heires or
successours, and retayned by her &c. in fee simple, to be solde or o-
therwise vsed at her and their pleasures, towarde the satisfaction of
all arrearages already set or determined, or that hereafter shall bee de-
termined vpon his accompt (all reasonable and due petitions being al-
lowed) at such rate and value as the same were purchased, or caused to
be purchased, by any Treasurer, Receiuer, Teller &c. or by any person

Lands purcha-
sed since the be-
ginning of the
Queens raigne

Accomptants and debtors to the Queene.

to their vse. Prouided alwaies that if the so to be seised or sold by her Maieitie her heires or successors, as is last aboue mencioned, doe surmount after the rate & value aforesaid, the debt and arrerages to be determined vpon the accompt of any Treasorer, Receiuer, or Accomptant befoze named, then her Maieitie &c. shall seise onely so much as shall amount after the rate and value aforesaid, to the iust payment of such debts and arrerages, as hath bin or shalbe determined or adiudged vpon his accompt, as is aforesaid. 13. Eliz. 4.

No Bishops
lands chargea-
ble.

33 No Bishop hauing the collection of any Subsidie or Tenths, or any his lands &c. whereof he is seised in the right of his Bishoppicke, shall be charged by vertue of this acte for any arrerages of tenths or subsidie, otherwise then he might lawfully haue bin befoze the making of this act. 13. Eliz. 4.

Accomptants
not exceeding
CCC. li.

34 This acte shall not extende to charge any Treasorer, Receiuer, or accomptant aforesaid, hauing any yerely receipt, nor any their landes &c. whose yerely receipt, collection & charge, or whose whole receipt from the beginning of his charge, is not, or hath not bin, or hereafter shall not be aboue the summe of ccc. li. in any other maner, then he might lawfully haue bin charged befoze the making of this acte. 13. Eliz. 4.

Accomptants
which are not
to make present
payment.

35 But because the Treasorer of the Chamber, and Cofferer of the household of the Queene her heires & successors, Treasorers of warres or garisons, Treasorers of the nauie, Treasorers, or Receiuers of any sumes of money for prouision of victual, or for fortifications, or for building, and Master of the Wardrobe are by order of their offices and charges after their accompts ended, to disburse the debt remaining vpon their accōpts, in such charges as are necessarily to be prouided in their offices and charges, so as they are not of such summes of money to make present payment as other accōptants are, therefore this act shal not extende to giue any aucthoritiy to make sale of any landes &c. for any such debt to be iudged in any of their accompts last mentioned, vnles the Queene her heires and successors vpon the determining of their accompts (all their due petitions to them &c. being allowed) commaund present payment thereof, or otherwise estones require a new accompt of the same debt so remaining in any the accomptants mentioned in this branch, and that then the same debt or any part thereof, shal be found to be owing and vnerpended in the charges pertaining to any of their said offices, and the same debt remaine vnpaid by the space of vi. moneths after such request or commandement. 13 Eliz. 4.

Sherife, Es-
cheator, Bailife
of liberties.

36 This acte shall not extend to charge any Sherife, Escheator, or Bailife of liberties, or the lands, tenementes, or hereditaments of any of them, nor of any their heires or assignes, for any thing touching their office of Sheriff wike, eschetorship or bailliwike, nor for any mony by them receiued by reason of any their said Offices, in any other maner then they

they might lawfully haue bin charged, befoze the making of this Act,

13. Eliz. 4.

37 This act as touching only the sale of any lands or tenements, shall not extend to any lands &c. which any persons now (viz. 2. April. 13 Eliz. Anno Dom. 1571.) haue or inioy, and haue purchased or obtained bona fide, and not being priuie or consenting to any such intent, to defraud the Queene as is abouesaid. 13. Eliz. 4.

Lands purcha-
sed bona fide.

38 It shall be lawfull to euery person, whose landes &c. shall by any office or inquisition be found to be fraudulently conueyed as is abouesaid, to haue his lawfull trauerse to euery such office &c. And if it be found with the partie that tendereth the trauerse, then he shall haue the said lands out of the Princes handes without any Petition, Luerie, or Oulster le maine, or any other suit to be made or vsed: And the same being found for such person, so trauersing the same lands &c. shall be adjudged as not lyable, chargeable, nor to be sold by force of this statute. 13. Eliz. 4.

The partie
griued may
haue his Tra-
uerse.

39 If the Queene &c. shall by any sale of lands by force of this statute, be fully satisfied of the debt or arrerages of any such accomptant or debtoz, or any part thereof, then his suerties shall be discharged of so much of the said debt, forsaiture, and arrerages, as so shall be satisfied, and for the residue onely shall be ratably (according to their abilities) charged. 13. Eliz. 4.

If the Queene
do sell the deb-
tors lands, the
suerties be dis-
charged.

40 The said Act made Anno 13. Eliz. 4. in euery part thereof touching the power giuen by that Act vnto her highnes, her heires and successozs to make sale of any the lands, tenements, or hereditaments, by the same Act limited to be sold, is, shall, and ought to be expounded and intended aswell in case where the sale is to be made after the death of such Accomptant or Debtoz, as where it is to be made in his or their lyfe time. And also aswell in case where the accompt is made and the debt known, wythin eight yeeres after the death of such Accomptant or Debtoz, as where the same accompt is made, or debt known in the life time of the said accomptant or debtoz. 39. Eliz. 7.

Sale of the
accomptants
lands in his
life time, or af-
ter his death.

Accompt with-
in viij. yeeres
after the ac-
comptants
death.

41 No person shall be expounded a Debtoz wythin the meaning and intent of this Act, but such onely as haue bin, are, or shall be Farmer or Farmours of any customes, subsidies, or imposts, prisage, butlerage, or other duities wythin any Port of the Realme, and such Officers and Accomptants hereafter in this Act mentioned and expressed, as vpon their accompts finished and determined (all his and their due and reasonable petitions being allowed) shall remayne debtoz, vpon the foote of his and their accompts: any ambiguitie or question that hath risen or growen, or may arise, grow, or may be conceyued vpon the letter of the same Act of 13. Eliz. or of this present Act, to the contrarie hereof in any wise notwithstanding. 39. Eliz. 7.

Who shall be
expounded deb-
tors to the
Queene.

Accomptants and debtors to the Queene.

The Queene
by Letters pa-
tents may sell
her debtors
landes.

42 After one yeere next after the accompt hereafter to be made, or the debt or duitie hereafter to be known of any Treasor, Receiuer, Tello, Customer, Farmor of imposts, or other person or debtor, named or mentioned in the said act of 13. Eliz. and hereafter mentioned and expessed (all his and their due and reasonable petitions vppon the same accompt finished, or debt known beeing allowed.) And for accompts heretofore made, or debts known of any such Accomptant or Debtor abouesaid, after one yeere next following after the end of this present Session of Parliament, it shall and may be lawfull to and for our soueraigne Lady the Queene, her heires and successors, for and towards the satisfaction of the said debt or duitie, or of so much thereof as shall then be vnpaid, by Letters patents vnder the great Seale of England, to sell, conuey, and assure such and so much of the manors, landes, tenements, and hereditaments, which any such Officer, Farmor, Debtor, or person accomptable, at any time since the said second day of Aprill, in the said 13. Eliz. had, or hereafter shall haue, from or during such time as such person or persons were, are, or shall be such officer or officers, farmor, debtor, or person accomptable as aforesaid, vnto her Maiestie, or which otherwise are to be sold for the same, by the true intent and meaning of the said act, made in 13. Eliz. as shall suffice our soueraigne Lady the Queene, her heires and successors, for the satisfaction of his or their debt or duitie. And if any ouerplus of money shall be had vpon any such sale, then the same shall be deliuered and paid presently vpon request, without other petition to be made for the same, to the partie or parties, whose land shall be sold, his or their heires, out of the receipt of her Maiesties Exchequer, by warrant of the Lord Treasor, or Undertreasor of the Exchequer for the time being without other warrant from her Maiestie, her heires and successors, and without any fees or charges to be paid for the same. And euery sale, conueyance, and assurance so to be made by her Maiestie, her heires and successors, shall be as good and effectuell in the law, as if the same were or had bin made by any such officer, farmor, debtor, or person accomptable for money or other valuable consideration, by bargain and sale, deede inrolled, feoffment, recouerie, with single or double voucher, or by all or any of them. And shall also bind and barre onely euery such officer, farmor, debtor, and person accomptable, and hys and their heires, and all other clayming by, from, or vnder them, or any of them, after such time as he or they became, or shall become officer, farmor, debtor, or person accomptable, as is aforesaid, and all and euery other person and persons, their heires and successors, which any such officer, farmor, debtor, or person accomptable, might haue barred, or may barre by any such recouerie, and all such whose landes

Overplus.

The sale good
against the
Queene, & ac-
comptant.

That persons
shal be barred
by the sale.

are to be solde, by the true intent and meaning of the said act of 13. Eliz. and all persons clayming from, by, or vnder them, and shall also be good and auayleable agaynst the Queene, her heires and successors, and all other persons clayming from, by, or vnder her, her heires or successors, for or by reason of any former charge, or other incumbrance to her Maiestie, her heires and successors, by the person or persons, for whose debt or duitie the same shall happen to be solde. 39. Eliz. 7.

43. Provided alwaies, that such sale, conueyance, or assurance, which shall at any tyme hereafter be had or made by vertue of this Act, or of the said Act of 13. Eliz. shall not impeach or auoyde any demise, lease, or graunt heretofore made, or hereafter to be made by the Queenes Maiestie, her heires or successors of any such landes, tenements, or hereditaments, which shall bee solde, conueyed, or assured, as is aforesaid, or of any part thereof, any otherwile, or in any other sort, manner, or fourme, then the same should haue bin auoyded or impeached by the ordinarie course of the common Law, if her Maiestie, her heires or successors had bin, or shall be fully satisfied of such debt or duitie, for whych any such landes, tenements, or hereditaments shall be solde, conueyed, or assured by vertue of this Act, or of the said Act of 13. Eliz. any thing herein contained to the contrary thereof notwithstanding. 39. Eliz. 7.

The Queenes sale of lands shall not impeach her lease of the same landes.

44. Aswell this Act and euerie clause therein contayned, as the said Act made in 13. Eliz. and euerie clause therein contayned, shall extend to all manner of Undercollectors of Tenthes and Subsidies of the Clergie, which haue bin, now be, or hereafter shall be, for satisfying of such money, as any such Undercollector hath collected, or shall collect of the said Tenthes and Subsidies, in as ample wise, as if euerie such Undercollector were immediatly accomptant to the Queene, her heires and successors. And euerie such Undercollector, shall vppon proces to bee awarded out of the Court of Exchequer of our said Soueraigne Lady, her heires and successors, be chargeable to accompt for his receipt of such Tenthes and Subsidies, as any Receiver immediatly accomptant to her Maiestie is or ought to be. And euerie Archbysshop and Bysshop and their heires, executors, and assignes, and Deane and Chapter Sede vacante, to whose charge the collection of such Tenthes or Subsidies doth or shall appertayne, shall be discharged of so much of the said Tenthes and Subsidies, as shall bee satisfied to the Queenes highnesse, her heires or successors, of, or by the landes, tenements, hereditaments, goodes or chattels, of such Undercollectour or his heires, without any other warraunt whatsoever, or charge in that behalfe to bee obtayned or sustayned.

Undercollectors of tenthes and subsidies.

Undercollectors of tenthes accomptable in the Exchequer.

The Bishop discharged of so much as the undercollectors shall satisfie.

Accomptants and debtors to the Queene.

sustained . 39. Eliz. 7.

Assurances
made bona fide
by any person,
accomptable.

Leases for xxi.
yeeres or thre
lyues.

Customary
estates.

To what Ac-
comptants on-
ly this Statute
doth extend.

45 Provided alwaies, that this Act or any thing therein contained, or the Act of 13. Eliz. or any thing therein contained, shall not impeach or auoide any sale, lease, demise, graunt, charge, extent, execution, or other assurance made befoze the beginning of this Parliament bona fide by any such person so accomptable or indebted, as is aforesaid, or by his heires, or by any person or persons clayming bona fide, from, by, or vnder them, or any of them: Nor shall extend to auoide any lease or demise, not exceeding the terme of one and twentie yeeres, or thre lyues, whereupon so much yeerely rent hath or shall be reserued, and yeerely payable, during euery such lease and demise, as at any time wythin twentie yeeres next befoze the making of such demise or lease, hath or shall be peelded or paid for the same: nor to auoide any lease for yeeres, determinable vpon thre lyues or vnder made or to be made, whereupon such yeerely rent is or shall be reserued, as is aforesaid: Nor to auoide any customary estate, made or to be made, according to the Custome of the mannor, whereof such customary landes so let or demised are parcell. 39. Eliz. 7.

46 Provided alwaies, that this Act shall extend onely to such, as sitthence the beginning of the Queenes raigne haue bin, now are, or shall be Treasorer, Telloz, or Receiuor, or vsing, exercising, or hauing the office of Treasorer, Telloz, or Receiuor, in or belonging to any the Queenes Courts of Exchequer, Wardes and Liueries, or Duchy of Lancaster, Treasorer of the Chamber, Cofferer of the household, Treasorer for the warres, Treasorer of any fort, towne, or castle where any garison is, or shall be kept, Treasorer of the Admiraltie or Nauie, Treasorer, Undertreasorer, or other person accomptable to the Queene, her heires or successors, for any office or charge, of, or within the Mint, & others exercising or hauing any office or offices, of Treasorer or Receiuor of any summe of money for prouision of victuals, or for fortifications, buyldinges, or workes, or for any other prouisions to be vsed in any the offices of the Queenes Ordinance and Artillerie, Armozie, Wardrobe, tentes and pavillions, or Reuels, Customer, Collectoz, Fermor of impostes, customes, subsidies, butlerage, prisage, or other duties within any port of the Realme, Collectoz or Undercollectoz of tenthes and subsidies of the Clergie, Collectoz of any subsidie or fifteene, Receiuor generall or particuler of the reuenues of any countie or counties answerable in the receipt of the Exchequer, or in the Courtes of Wardes & Liueries, or Duchy of Lancaster, Clarke of the Hanaper, and other person or persons vsually or ordinarily and voluntarily exercising, vsing or hauing any office of receipts, or vsually or ordinarily and voluntarily, taking vpon him as an officer of any receipts, and to none other. 39. Eliz. 7.

47 Provided alwaies, that the said Act of 13. Eliz. or this Act or any thing therein contayned, shall not extend to the sale of the lands, tenements, or hereditaments of any Officer accomptant or debtoz, or of his or their heire or heires, or of any other person clayming from, by, or vnder them, or any of them, for or by reason of any accompt, debt, or sarne, whereof any such debtoz or accomptant, his or their heires, executozs, or administrators, haue, or shall haue a quietus est, or other vsuall discharge vppon the declaration of hys and theyr accompt, according to the vsuall order of the said court of Exchequer. 39. Eliz. 7.

No sale of lands where the accomptant hath a quietus est.

48 Provided also, that this act or any thing therein contayned, shall not extend to giue any power or authoritie to make any sale, conueyance, or assurance, of any mannozs, landes, tenements, or hereditaments, of any Archbishop, Bishop, Deane and Chapter, or of any other ecclesiasticall person, whereof he or they, or any of them, be, or hereafter shall be seised in the right of his or their Bishopricke, Church, or other Corporation ecclesiasticall whatsoever. 39. Eliz. 7.

No sale of those lands whereof the debtoz is seised in the right of the Church.

49 Provided alwaies, that the same act of 13. Eliz. or this act, shall not extend to the sale, conueyance, or assurance of any mannozs, landes, tenements, or hereditaments for any debt being installed. 39. Eliz. 7.

Debt installed.

50 Provided alwaies, that this act shall not extend to charge any Shirife, Escheatoz, or Bailife of liberties, nor any of their heires or assignes: nor to the sale of landes, tenements, or hereditaments of any Shirife, Escheatoz, or Bailife of liberties, nor of any theyr heires or assignes for any thing touching hys or theyr office of shirifewicke escheatozship, or bailiwick, nor for any money or other thing, by them or any of them by reason of any of the said offices, otherwise, or in any other maner then they or any of them might lawfully haue bin charged befoze the making of this Act, or of the said Act of 13. Eliz. any thing herein contayned to the contrarie notwithstanding. 39. Eliz. 7.

Shirife, Escheatoz, Bailife of liberties

51 If the Queene, her heires or successozs, shall by any sale, conueyance, or assurance of any mannozs, landes, tenements, or hereditaments, by force of the said act of 13. Eliz. or of this act, or by other matter appearing of recozd, be fully satisfied of the debt or arrerages of any such officer accomptant or debtoz, or of any part thereof: then the suerties of such officer accomptant or debtoz, and other person or persons bound, or to be bound for such accomptant or debtoz in that behalfe, shall be discharged of somuch of the said debt, forfeiture, and arrerages, as so shall be satisfied, And for the residue only, shall be rateably according to their abilities charged: any thing in this Act, or in any other Statute to the contrarie notwithstanding. 39. Eliz. 7.

If the Queene be satisfied, the suerties shall be discharged.

Accomptants and debtors to the Queene.

In what case
these officers
lands shall be
sold, in what
not.

52 *Provided* alwaies, that the said Act of 13. *Eliz.* of this Act, or any thing therein containned, shall not extend to giue any power or authoritie to make sale, conueyance, or assurance, of any manors, landes, tenements, or hereditaments of the Master and Lieutenant of the Ordinance, Master of the horse, Master of the Armozie, the generall Receiuor of the Duchie of Lancaster, and of the Wardes and Liveries, Treasorer of the chamber, Master of the Jewel house, Conferer of the household of our soueraigne Lady the Queene, her heires and successors, Treasurers of warres or garrisons, Treasorer of the nauie, Treasurers or Receiuors of any summes of money for victuall or fortification, or for buyldinges, or Master of the Wardrobe, for any debt to be adiudged or knowen as it is aforesaid, concerning their or any of their offices mentioned in this branch, vntill the Queene, her heires and successors, vppon or after their debt knowen, or accompt determined (all his or their due petitions to them vppon the same accompts beeing allowed) require or commaund by or vnder the great Seale or priuie Seale present payment thereof, or otherwise eftsoones require a new accompt of the same debt so set or remayning in any the accompts mentioned in this branch: And that then the same debt or any part thereof shall bee found to bee owing or vnerpended in the matters or charges pertayning to any of their said offices or charges mentioned in this branch, and the same debt remayne vnpaid by the space of one whole yeere after such request or commaundement. 39.

Eliz. 7.

Accomptants
debts not ex-
ceeding 300.
pound.

53 *Provided* also, that this Act, or any thing therein containned, shall not extend to the sale, conueyance, or assurance of any manors, landes, tenements, or hereditaments, as is aforesaid, vntill the debt of such officer, accomptant, or debtor doe exceede the summe of three hundred poundes: any thing in this act to the contrarie notwithstanding. 39. *Eliz.* 7.

No sale of the
heires landes
during his mi-
noritie.

54 *Provided* also, that this Act or any thing therein containned, shall not extend to make any sale, conueyance, or assurance of any manors, landes, tenements, or hereditaments discended, or which hereafter shall discend to any heire or heires wythin the age of one and twentie yeeres, so long as such heire or heires shall be wythin the age of one and twentie yeeres. And yet neuertheles, after such time as any such heire or heires shall accomplish his or their full age of one and twenty yeeres, and after two yeeres expyred after such full age: It shall and may be lawfull to and for our said soueraigne Lady, her heires and successors, to make sale, assurance, and conueyance of such manors, landes, tenements, and hereditaments so to him and them discended, in such sort, order, maner, and forme, to all intents, constructions and purposes,

Sale within
two yeeres after
the heires full
age.

poses, as if such heire or heires had bin of full age at the time of the accompt finished and determined, or debt knowen of any such officer, debtor or accomptant. 39. Eliz. 7.

55 Provided alwaies, that before such time, as any the mannoys, landes, tenements, or hereditaments which any such officer, accomptant, or debtor shall bona fide, and for valuable consideration, sell, conuey, or assure to any person or persons shalbe by the Queene, her heires and successors, sold, conueyed, or assured, as is aforesaid, a Scire facias shall be awarded out of her Court of Exchequer vnto the Shirife of the Countie, where any such mannoys, landes, tenements, or hereditaments so to be sold for the said debt do lye, generally to garnish, summon, or warne any of the Terretenants vppon any part of the said mannoys, landes, tenements, or hereditaments, to shew cause why, the said mannoys, landes, tenements, or hereditaments should not be put to sale for satisfaction of the debt of her Maiestie, her heires or successors: Whereupon if the Terretenant vpon such garnishment or warning retourned, shall mak default, or shall appeare, and do not within two yeeres next after such retourne sufficiently proue in the said Court of Exchequer, that the officers, accomptants, or debtors, (if he or they be then liuing) haue sufficient landes, tenements, or hereditaments to answer vpon sale thereof to be made by the Queene, her heires or successors, by force of this act the said debt or farme, or sufficient goodes or chattels, lyable and subiect to the payment of such debt or farmes: or if he or they be dead, that the executors or administrators of such officers, accomptants, or debtors haue sufficient goodes or chattels lyable and subiect as aforesaid, or the heire of such officer, accomptant, or debtor, haue sufficient landes, tenements, and hereditaments lyable to answer vpon sale thereof to bee made by the Queene, her heires and successors, by force of this Act, the same debt or farme, and whereby the sayd debt and farme, shall or may bee duely and fully satisfied: That then after two yeeres and tenne monethes next after such retourne, such, and so much of the mannoys, landes, tenements, and hereditaments, which any such officer, debtor, or person accomptable had, or at any time hereafter shall haue, after he became, or shall become any such officer, debtor or person accomptable, or which otherwise are to be solde, by the true intent and meaning of the said Act made in 13. Eliz. as shall suffice for the satisfaction of our Soueraygne Ladie, her heires or successors, of hys or their debt or dutie, shall bee solde by her Maiestie, her heyres or successors, and the money thereof comminge to dispose according to the true intent and meaning of thys Acte. 39. Eliz. 7.

Pieces awarded against the Terretenant before the sale of his landes.

56 Provided also, that in such cases where any accompt hath bin or shall be made, or any debtes haue bin or shall be knowen, in the Courts

Pieces where the debt doth grow in the court of wards or Dutche.

Accomptants and debtors to the Queene.

of Wards and Liueries, and Duchy of Lancaster, or in eyther of them, then befoze such time, as any the manors, lands, tenements, or hereditaments, which any such officer, accomptant or debtoz, shall bona fide, for valuable consideration, sell, conuey, or assure to any person or persons, shall be by the Queene, her heires and successors, sold, conueyed, and assured, as is aforesaid, such proces shall be awarded as is hereafter expessed: To wit, a summons or garnishment with proclamation, shall be awarded to the Shirife of the countie, where any such manors, landes, tenements, or hereditaments, so to be sold for the said debt do lye, generally to garnish, summon, or warne, any of the Terretenants thereof, by open publication or proclamation to be made, either vpon some part of the said manors, lands, tenements, and hereditaments, or in some Market towne next adioyning in the said Countie twentie dayes at the least befoze the retourne thereof, to shew cause why the same manors, landes, tenements, or hereditaments should not be put to sale, for satisfaction of the debt of her Maiestie, her heires or successors: Whereupon if the Terretenants vppon such garnishment or warning retourned, shall make default, or shall appeare, and do not wythin two yeeres next after such retourne make such sufficient prooofe as aforesaid, as by the order and decree of either of the same Courtes shall be allowed in that behalfe, That then all thinges shall be done and executed, for the sale of the same manors, landes, tenements, or hereditaments, and for the full satisfaction of the same debt or farme, in like, and in as large and ample manner and forme to all intents and purposes, as befoze in this act is limited and appointed in cases where default is made, or apparance, and no cause and prooofe as aforesaid made, vpon a Scire facias awarded out of the said Court of Exchequer.

39. Eliz. 7.

The Terretenant prouing that the debtoz his executoz or heire haue sufficient to pay the debt.

57 Provided alwayes, that if the Tertenant or Tertenants shall proue in the sayde Courts of Exchequer, Wards and Liueries, and Dutchie as is aforesayd, within two yeares next after such retourne, and returnes as aforesayd, that the sayd officer, debtoz or accomptant hath manors, lands, tenements, or hereditaments liable and subiect to the sale of our soueraigne Lady, her heires or successors, by force of this act, but not sufficient vpon sale thereof by vertue of this act, to answere and satisfie the debt and dutie of the sayd officer, debtoz, or person accomptable: Or that the executoz or administrators of the sayd officer, accomptant or debtoz (if he then be dead) haue goods and Chattels liable and subiect to the payment of the debt or farme of the officer, debtoz or accomptant, but not sufficient vpon the sale thereof, for the full satisfaction of the said debt or farme: Or that the heire of such officer, accomptant or debtoz, haue lands, tenements, or hereditaments by descent, liable and subiect to the sale of the Queene, her heires and successors, for and towards

towards the payment or satisfaction of the debt or farme of such officer, accomptant or debtoꝝ, by force of this Act, but not sufficient vpon sale thereof by vertue of this Act for the full and due satisfaction of the sayd debt or ferme, That then the Queene her heires and successoꝝ, shall first make sale as aforesaid, of all the mannoꝝ, lands, tenements, and hereditaments of the said officer, debtoꝝ, or person accomptable, and seise and take into her and their hands all the said goods and chattels. And if the same be not sufficient vpon sale thereof by force of this Act, to answere and satisfie the sayd debts or farme, then to make sale of the mannoꝝ, lands, tenements, and hereditaments so descended to the said heire, for and towards the satisfaction of the residue of the said debt. And if neither the said lands, goods, and chattels of the said accomptant, officer or debtoꝝ, or of his executoꝝ or administrators, nor the sayd lands, tenements, and hereditaments so descended to the said heire, be sufficient to answere and satisfie the full and due debt, Then such and so much of the mannoꝝ, lands, tenements, and hereditaments, which any such officer, debtoꝝ, or person accomptable had, or at any time hereafter shall haue, after he became or shall become any such officer, debtoꝝ, or person accomptant, shalbe sold by the Queene her heires and successoꝝ as aforesaid, as shall suffice to make a full satisfaction of the residue of his or their whole and entire debt and dutie: And the ouerplus (if any be) to be disposed as aforesaid, according to the true intent and meaning of this present Act. 39. Eliz. 7.

58 Provided alwayes, that euery such Certenant, clayming by purchase from any such officer, accomptant or debtoꝝ, or his heires, or from, ^{Contribution and remedie to recover the same.} by, or vnder any purchaser, from such officer, accomptant or debtoꝝ, whose lands shall happen to be sold by vertue of this Act, shall haue ratable contribution for his and their charges, dammages and losses, of and against euery other person or persons, that shall purchase, or shall clayme from, by, or vnder any purchaser of any lands, tenements, or hereditaments of such officer, accomptant, or debtoꝝ, liable to any sale to be made by vertue of this act. And if any such person or persons shall refuse to make and yeeld a reasonable contribution to the partie and parties whose lands are sold as aforesaid, that then vpon complaint thereof made to the Barons of the Exchequer, they shall and may by vertue of this act, award processe of seisure and extent in her Maiesties name, vpon the lands, tenements, and hereditaments of euery such person or persons as shall so refuse to yeeld a reasonable contribution: And the same lands so seised and extended shall and may by vertue of this Act, without other warrant, assigne and commit to the said person or persons, their heires, executoꝝ, or administrators, that ought to haue contribution by the true meaning of this act, untill such time as he or they shall be satisfied of so much money for contribution of his and their dammages, losses, charges, and

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and expences, as shalbe rated, taxed, and assessed by the said Barons of the Exchequer for the time being. 39. Eliz. 7.

The proces and returnes entred of record in the Courts, out of the which they were awarded.

The proces and returnes exemplified.

59 Provided alwaies, that euery such Scire facias, so to be awarded, and the returne therof, shalbe entred of record in the Court of Exchequer, and euery such proces of summons, and garnishment with proclamation, and the returne thereof, so to be awarded out of euery the said seuerall Courts of Wards & Lineries, and Duchie of Lancaster, and the seuerall returnes thereof, shalbe entred into the booke of Decrees of the said Courts, out of which such proces shalbe awarded. And that euery person and persons to whom the Queene her heires or successors, shall make sale of any mannozs, lands, tenements, or hereditaments of any such officer, accomptant or debtor, shall or may haue exemplified the seuerall proces aforesaid, and the returne or returnes thereupon vnder the great Seale of England, and that aswell the said Inrolment and entries aforesaid of the said proces, and the returnes thereupon, as the said exemplifications, shall be of as good force and validitie in the lawe, to all intents and purposes, as if the said proces and returnes thereupon, were extant, remaining and sufficient. 39. Eliz. 7.

A preheminence in choice of the purchaser for those persons whose lands shall be sold.

60 And to the intent such mannozs, lands, tenements, and hereditaments as are liable to sale by the Queene her heires and successors, by force of this Act may be solde according to the value thereof, for the more speedie payment of the debts and duties due to her highnes, her heires and successors, and for the benefit of the person or persons whose lands shall be sold: If any person or persons, other then the officer, debtor, or accomptant aforesaid, whose lands, tenements, or hereditaments, are or shall be liable to be sold by force of this Act, do or shall at any time within the said two yeares and ten moneths after such returne as aforesaid, procure any other able and sufficient person or persons, to purchase or buy the same at such price and value, as the same lands, tenements, or hereditaments at that time shall be reasonable worth to be sold, Then vpon payment and satisfaction to be made to the Queene her heires and successors, of the value of the said lands, tenements, or hereditaments, so to be solde, our said soueraigne Lady her heires and successors by letters patents vnder the great Seale of England, will be pleased to sell such lands, tenements, and hereditaments, to such person or persons before any other, as will purchase and buy the same, by the meanes and procurement of him or them, whose lands, tenements, and hereditaments, shall be sold as aforesaid. 39. Eliz. 7.

The euidence of the land to be sold shalbe brought into the Court.

61 All and euery person and persons, whose mannozs, lands, tenements, or hereditaments, shall be liable and subiect to be sold by force of this act vpon proces to be awarded out of the Court of Exchequer, and other the Courts aforesayd, shall bring and shewe into the sayd Courts, all such euidences, concerning the sayd mannozs, lands, tenements,

nements, and hereditaments, liable and subiect to be solde as aforesaid, being in his or their custodie or possession, or in the custodie or possession of any other by his deliuey, consent, or appointment, to the intent the state or title of and in the said mannoys, lands, tenements, and hereditaments may be knowne, to the end the better and more auailable sale thereof may be made, according to the true intent and meaning of this act. 39. Eliz. 7.

62 And it is also the true intent of this act, and of the sayd Statute of 13. Eliz. That if any person or persons, whose lands, tenements, and hereditaments are, or shall be liable, and subiect to be solde by vertue of this act, or the sayde Act of 13. Eliz. haue sufficient mannoys, lands, tenements, or hereditaments, ouer and beside his chiefe mansion house, and demesnes belonging thereunto, to satisfie the debts and duties of her Maiestie, her heires and successors, and to procure the same to be bought or purchased for so much money, as will satisfie the sayd debts and duties, within the sayd seuerall time and times, before limited and appointed, for the sayd lands, tenements, and hereditaments, to be solde as aforesaid, and doe satisfie the sayde debts and duties accordingly, That then his and their sayd chiefe mansion house, and demesnes thereunto belonging, shall not be solde by her Maiestie, her heires and successors, by force of this act, or of the sayd Statute of 13. Eliz. 39. Eliz. 7. to endure only to the end of the next Session of the next Parliament ensuing.

63 If any disme or part of disme be graunted by the Clergie of the prouince of Canterburie and Worke, to the Queene, or to her heires after the certificate thereof into the Eschequer, and of the names of the Collectors for the gathering of the same, if the same Collectors do come by proces before the Barons of the Eschequer, and enter into their accompt, they shall not be bound to answer any bill or billes there exhibited against them by reason of the sayd entrie in their accompt, for any maner of cause but onely for the matter touching the sayd accompt. But if the sayd accomptant be tried in any other Court, by writ, bill, or plaint, then he shall take no priuiledge of the sayd Eschequer by reason of the said accompt for any such suite. I. R. 3. 14.

64 If he that is condemned and in execution at another mans suite, will confesse himselfe debtor to the Queene, where he is no debtor of record, he shall be remanded to the first prison, and his creditor being satisfied, he shall be committed to the fleete, until he hath paid the Queene that summe confessed. I. R. 2. 12.

65 The Queene nor her Bailifes shall seise any mans lands or rent for any debt, so long as the debtors presence or cattell will suffice to pay the debt, and the debtor ready to satisfie it, nor any mans suerties shall be distrained,

The mansion house and demesnes shall not be solde, if there be other lands sufficient.

Accomptants for dismes not chargeable to other suites in the Eschequer.

Confession of debt to the Queene to avoid another execution.

The suerties shall not be charged so long as the principal debtor is sufficient.

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distraigned, so long as the chiefe debtoꝝ is sufficient, and if the chiefe debtoꝝ doth faile of payment, not hauing, oꝝ not willing to pay, the suerties shall answer it, and if they will, they shall haue the debtors lands and rents, vntill they be satisfied, Magna Charta, Anno 9. Hen. 3. 8.

The Sherife hauing proces to leuie the Queenes debts, must take suertie of the partie being offered to discharge it.

The Sherife hauing leuied the Queenes debts, shall discharge the debtoꝝ.

Commissions to enquire of accomptants.

66 Too great a distresse shall not be taken foꝝ the Queenes debt, noꝝ giuen too farre, and if the debtoꝝ can find sufficient and conuenient suertie vnto the Sherife, vnto a certaine day within which he can procure a remedie to agree foꝝ the thing in demaund, the distresse shall be discharged in the meane time, and he that doeth otherwise shall be grievously punished. 28. Ed. 1. 12. And all debts of the summons of the Eschequer, that the Shirife oꝝ Bailife do confesse receipt of, shall be soꝝthwith allowed, so that whether he receiued all the debt oꝝ part, it shall neuer come in demaund oꝝ summons after the Sherife hath confessed payment. Stat. de distric. Scac. 5. 1. Hen. 3. And if the Shirife at the next accompt after he hath receiued such debts, do not acquite the debtoꝝ, he shall pay to the plaintife thꝛise so much as he receiued, and make fine at the Queenes pleasure. West. 1. 3. Ed. 1. 19.

67 Immediately after euery finall accompt, made and deliuered before the Barons of the Queenes Eschequer, by any Sherifes, Eschetors, Customers, Comptrollers, and other officers accomptable, the tenoꝝ of the accompt of euery of the same officers shall be from time to time sent into the Counties in the which the same accomptants be officers, together with commissions directed to the most credible, lawfull and discrete persons, foꝝ to enquire and make certificat of the profitess, which the sayd accomptants haue receiued in the foresaid Counties, in their owne name to the Queenes vse, and vpon their accompts, haue deceitfully concealed and retained the same, to their owne vse and profite. And in case any such Accomptants be attainted of any such fraudes and deceits, they shall foꝝfait to the Queene, treble of that, whereof they shall be conuicted, and their bodie shall be imprisoned, vntill they haue made fine and raunsome to the Queene, according to the discretion of her Judges. 6. Hen. 4. 3.

Accompt.

Accomptants withdrawing themselves.

If Bailifes which are bound to yeeld accompt to their Lords, do withdraw themselves, and haue no lands oꝝ tenements whereby they may be distraigned, then their bodie shall be attached, so that the Sherifes, in whose Bailiwikes they shall be found, shall cause them to appeare, to yeeld their accompts. Marlb. 5. 2. Hen. 3. 24.

Where Auditors may commit accomptants to prison.

2 If the Baster do assigne Auditoꝝ to any Bailifes, seruants, chamberlaines, oꝝ other receiuers, which are bound to yeeld accompt, and it chaunce them to be found in arrerages (all things being to them allowed) they shall be arrested, and by the testimonie of those Auditoꝝ committed to the next gaole which the Queene hath in those parties, and shall be receiued of the Sherife oꝝ his gaoler, and in prison fettered in irons, and

and remaine in the same prison liuing of their owne goods, vntill they haue fully satisfied their Master of all the arrerages. But if any which is so committed to prison, will complaine that the Auditors haue vniustly charged him with receits which he hath not receiued, or by not allowing him reasonable expences, and will finde friends which will undertake to bring him before the Barons of the Eschequer, he shall be deliuered vnto them, and the Sherife in whose custodie he is, shal warne his Master that he do appeare before the Barons of the Eschequer, at a certain day, with the Rolles and Calys whereby he yeelded his accompt, and in the presence of the Barons or the Auditors which they will assigne, the accompt shall be recited, and iustice shalbe done to the parties, so that if he be found in arrerages, he shall be committed to the Fleet, and if he flee, and will not willingly yeeld his accompt, he shall be distrained to come before the Iustices to accompt, if he haue whereby to be distrained, and when he cometh to the Court, Auditors shall be appointed vnto him, before whom if he be found in arrerages, and will not forthwith pay the same, he shall be committed to the gaole, to be kept in forme aforesaid, and if he flee, and the Sherife doth testifie that he cannot be found, the Exigent shall be awarded against him vntill he be outlawed, and he which is so committed to prison, is not repleuisable. Westm. 2. Anno 13. Ed. 1. 11.

Ex parte talis.

1 That an action of debt is maintainable against a Sherife or Gaoler, which lettereth an accomptant escape, that is committed to his gard. See Escape 1.

2 That executors shall haue an action of Accompt. See Executors 1.

3 For the accompt of those which shall receiue any money for the mending of his wayes. See His wayes 10. 11.

4 For the accompt of Collectors and Surueiors for the mending of Bridges. See Bridges 4.

5 For the accompt of the Surueiors of the poore. See Poore 2.

6 That in debt vpon the arrerages of accompt the defendant may wage his law, or plead to an inquest. S. Wager. 3.

Accusation.

NO Freeman shal be taken or imprisoned, or disseised of his freehold, liberties or free customes, nor shall be outlawed, banished, or by any meanes brought to destruction: neither shall any passe, or sit in iudgement vpon him, but by the lawfull iudgement of his equales, or by the law of the Realme: neither shall iustice or right be sold, denied, or deferred to any man. Magna Charta 9. Hen. 3. 29. 5. Ed. 3. 9. And if any man be taken or put to answer without a presentment before Iustices, or some matter of record, or by due proces, or by writ originall, the same is void and erroneous. 25. Ed. 3. 4. 28. Ed. 3. 3. 42. Ed. 3. 2. See Suggestion.

No man shall be condemned without lawfull trial.

Additions.

Additions.

Additions
where an ex-
igent shalbe
awarded.

In every originall writ of actions personals, appeals and indictments, where an Exigent shall be awarded, the names of the defendants shall be put, with additions of their estate or degree, or mysterie, & the Townes or Hamlets or places, and the Counties of the which, and in the which they were or be conuersant. And if by proces vpon the sayd originall writs, appeals, or indictments in which the said additions be omitted, any outlawries be pronounced, they shall be void, and before the outlawries pronounced, the said writs and indictments shall be abated by exception of the partie, whereas in the same the said additions be omitted. But though the same writs of actions personals do not agree with the records and deeds in surplusage of the foresaid additions, yet for that cause they shall not abate. And the Clerkes of the Chauncerie (vnder whose names such writs shalbe written) shal not omit the said additions, vpon paine to be punished, and to make fine to the Queene at the Chauncelors discretion. 1. Hen. 5. 5.

1 That an offendour in a writ of Excommunicato capiendo shal haue a sufficient addition. S. Excommunication 8.

Adiornement.

Whereas by remouing of the common Bench, the pleas haue often times abiden without day, to the great hurt and perill of disherison of diuers: It is enacted, that from henceforth, the Iustices, before the common Bench be remoued, shall be warned by a tunc, so that they may adiozne the parties by such time, that they shall not lose their proces. 2. Ed. 3. 11.

1 That Fines shall be effectuell, though proclamations be not made by reason of adiornement of any Terme. S. Fines 11.

Admeasurement of dower and pasture.

Admeasure-
ment of dower.

The Gardein shall haue a writ of Admeasurement of dower: But yet by the Gardeins suite, (if he will sue faintly and by collusion against the woman which is tenant in dower) the heire shall not be foreclosed when he cometh to full age, to admeasure the dower, as it is to be admeasured by the law of this Realme. And as well in the writ of admeasurement of dower, as in admeasurement of pasture, when the suite is come to the graund distresse, dayes shall be giuen, within the which there may be holden two Counties, at the which open proclamation shall be made, that the defendant shall appeare at the day coueyned in the writte, to answer the plaintife, at which day, if he do appeare, the suite shall proceede betwixt them, and if he do not appeare, and the proclamation be in fourme aforesaid testified by the Sherife, admeasurement shall be made by the default. Westminster 2. 13. Ed. 1. 7.

Dayes giuen
in the writ of
admeasure-
ment.

2 If by a suit moued vpon a writ of admeasurement of pasture, the pasture was once admeasured, and that it chaunce after such admeasurement the pasture to be ouercharged againe by him that first did ouercharge, with moe beasts then he ought to keepe, if the admeasurement were before the Iustices, the plaintife shall haue a Iudiciall writ, that the Sherife in the presence of the parties being summoned (if they will appeare) shall inquire of the second surcharge, which if it be found, shall be returned before the Iustices vnder the seales of the Sherife and the Iuroys, and the Iustices shall award the plaintife damages, and shall put in the estreates the value of the beasts, which he that ouercharged after the admeasurement, put into the pasture moze then he ought, and shall deliuer the estreates to the Barons of the Eschequer to answer the Queene. If the admeasurement were made in the Countie, then at the request of the plaintife, a writ shall be awarded out of the Chauncerie, that the Sherife shall enquire of such ouercharge, and of the cattell put in the pasture aboue the due number, and shall answer the Queene the value of them in the Eschequer. And least the Sherife should deceiue the Queene in this case, all such writs de Secunda superoneratione, which be awarded out of the Chauncerie, shall be enrolled, and in the end of the yeare the transcript thereof shall be sent into the Eschequer vnder the Chauncelors seale, that the Treasourer and Barons of the Eschequer may see how the Sherife hath answered the profit of such writs. And in like sort shall the writs of Redisseisin be enrolled and sent into the Eschequer in the end of the yeare. Westminster 2, 13. Ed. 1. 8.

Admeasure-
ment of pa-
sture.

Secunda super-
oneratio pasturæ.

Administrators.

Where a man dyeth intestate, the Ordinarie shall depute the next and most lawfull friends of him which dyed intestat, to administer his goods, which deputies shall haue an action in the Queenes Court to demaund and recouer as executours, the debts due to him, which is dead, and shall answer others in the Queenes Court, to whom the dead person was indebted and bound, in the same maner as executours shall, and also shall be accomptable to the Ordinarie, as executours shall, in case where a testament is made. 3 1. Ed. 3. 11. See Ordinarie 1.

1 To whom the Ordinarie shall commit the administration of the goods of him that dyeth intestat, and what he shall take for the same. See Probate of Testament 5. 6.

Admirall and Admiraltie.

The Admirall and his deputie shall meddle with nothing done with-
in the Realme, but onely with things done vpon the Sea. 13. Rich. 2. 5. And he that is grieved against this Statute shall haue an action vpon the case against him which pursueth in the Court of the Admiraltie, and

with what
thing the Ad-
mirall shall
meddle.

and shall recouer against him double damages, and the pursuer being attainted shall forfait to the Queene r.li. 2. Hen. 4. 11.

Where the Admirals jurisdiction doth lye.

2 The Admirals court hath no maner of cognisance, power, or iurisdiction of any contracts, ples, quarels, or other things made or rising within the body of the Shires, by land, water, or wreck of Sea, but all such contracts &c. and other things shall be tryed, determined, discussed, and remedied by the Lawes of the Realme, and not befoze the Admirall nor his deputie. But the Admirall hath cognisance of the death or mayhem of a man committed in any great ship, fleeing vpon the hie streame of great Riuers: onely beneath the Bridges of the same Riuers next the Sea. And also to arrest shippes in the great streames for the great voyages of the Queene and the Realme: sauing to the Queene all forfeitures and profits thereof comming. And also he hath iurisdiction in the said streames during the said voyages onely: sauing to all Lordes, Boroughs and Cities, their Liberties and Franchises. 15. Rich. 2. 3.

Conservatoz of the truce.

3 By the statute 2. Hen. 5. 6. like power as the Admirall hath, is giuen to him which shall be assigned by the Queene in any Port to be conservatoz of the truce, except for the determination of the death of a man which is committed vpon the maine Sea, and the execution of the same, which is alwaies reserued to the Admirall or his generall Lieutenant. See Piracie.

1 For the authorities delegaties in marine causes. See Appeales 8.

Age.

Nonage shall not helpe the disseisor or his heire.

If a man do purchase an Assise, and the principall disseisour dyeth befoze the Assise doth passe, the plaintife shall haue a writ of Entrie vpon disseison against the heire of the disseisor of what age soeuer he be. And in the same maner the heire of the disseisee shall haue his writ of Entrie against the disseisors or their heires of what age soeuer they be, if the disseisee die befoze he hath purchased his writ, so that the writ shall not be abated, nor the plea delayed by the nonage of the heires of the one partie or of the other, but in that a man may without offending the law, fresh suite shall be made in hast after the disseisin. And this point shall be obserued in the right of Prelates and others, to whom lands cannot by any meanes come after the death of others, whether they be disseisees or disseisors. And if the parties in pleading descend to an Enquest, and that do passe against the heire within age, and namely against the heire of the disseisee, he shall in that case haue an Attaint by the Queenes speciall fauour without giuing any thing therfore. Westminster. 1. 3. Ed. 1. 46.

Prelates.

Attaint.

Nonage shall not stay an Enquest.

2 If an Infant be kept from his inheritance, after the death of his father, grandfather, or great graundfather, whereby he is enforced to haue a writ, and his aduersarie doth appeare in Court, and in pleading Nedgeth a feoffement, or sheweth some other thing, wherby the Iustices

do a ward an Enquest, there whereas an Enquest was differred vnto the full age of the Infant, now the Enquest shall passe as though he were of full age, Gloucest. 6. Ed. 1. 2.

3 In euery case where such as be wythin age may sue, if they be eloigned, so that they cannot personally sue, the next friendes shall be admitted to sue for them. Westm. 2. 13. E. 1. 15. See Wardes. Sult by prochein amy.

1 That a womans suite which demaundeth lands, that her husband did alien of hers, shall not be differred by the minoritie of her husbands heire which should warrant them. See Women 15.

2 That each one bound Apprentice within age, shall serue as if he were of full age. See Labourers 23.

Ayde to make the sonne Knight, and to marrie the daughter.

There shall be taken of a whole Knights fee for reasonable ayde to make the sonne Knight, or to marrie the daughter, but xx. s. and of xx. pound land holden in Socage xx. s. and of more, more, and of lesse, lesse, after the rate. And none shall leuie such ayde to make his sonne Knight, vntill his sonne be xv. yeeres of age, nor to marrie his daughter vntill she be of the age of vii. yeeres, and thereof mention shall be made in the Queenes writ framed thereupon, when any man will demaund it. And if the father chance to die, when he hath leuied such ayde of his tenants, befoze he hath married his daughter, the fathers executozs are bound to satisfie the daughter of so much as the father receiued for this ayde. And if the fathers goods be not sufficient, his heire shall satisfie the daughter. Westm. 1. 3. Ed. 1. 35. And the same law is in the Kings case to make his eldest sonne Knight, or to marrie his eldest daughter. 25. Ed. 3. 11.

The Kings sonne or daughter.

Ayde of the Queene.

If the Queene make a feoffment, and the deede thereof containeth so much, that another person by like deede or feoffment should be bound to warrantie, the Iustices shall proceede no further, except they haue commaundement from the Queene. But where the Queene hath confirmed or ratified an other mans deede of that thing which was an other mans, or hath graunted any thing to an other, as much as in her is, or where a deed is shewed forth that the Queene hath giuen any tenement, in which deed there is no clause of warrantie, and in such like cases, it shall not be surceased by occasion of such confirmation, ratification, graunt, or render, or other like: But after the same is shewed to the Queene, they shall proceede without delay, Stat. de Bigamis. 4. Ed. 1. 1. & 2. See Alsife 5.

Where ayde shall be graunted of the Queene, and where not.

2 Concerning the Dowres of women, where any Gardeins of the inheritance of their husbands haue the wardships of the gift or graunt of the Queene, whether the Gardeins do hold the thing in demaunde, or do call the heires of the said tenements to warrantie, if they do except that

In Dowre the Queenes patentees of a ward, shall not haue ayde

Ayde of the Queene. Alehouse. Aliens, Strangers &c.

they can not answer without the Queene, it shal not therefore be surceas-
sed, but the suit shal in due maner proceede. Stat. de Bigamis. 4. Ed. 1. 3.

Folwer writs
of Search.

3 A man shall haue but fower writs of Search for the Queene, wher-
of euery writ shall be deliuered fourtie dayes before the retourne of the
same. And then they which sue for the Queene, shall be put to answer
and to defend the lands and tenements demaunded, against the Queene
as well as they can, whether any monument or remembrance be found for
the Queene or not, thought the suit be in the Parliament, Chauncery,
Kings bench, or Common place. And by commandement vnder the great or
prinie Seale, no point of this statute shal be delayed. 14. Ed. 3. 14.

1 Wherevpon a Trauerse two writs of Search shall be graunted.
See Trauerse 4.

2 Where in Assise brought against the Queenes patentee he shall
not haue Ayde. See Assise 5.

Alehouse.

Iustices of
peace may dis-
charge selling
of Ale or beere.

The Iustices of peace in euery Shire, Citie, Towne corporate, Fran-
chise, or Libertie, or two of them at the least (whereof one to be of
the Quorum) haue power within the limits of their commission to dis-
charge common selling of Ale and Beere, in Alehouses and Tipling hou-
ses, in such places where they shall thinke meete. 5. Ed. 6. 25.

The penaltie
of keeping ale-
houses without
licence.

2 If any person do keepe any common Alehouse, Tipling house, or vse
common selling of Ale or Beere, but such as shal be thereunto admitted in
the open Sessions of the peace, or els by two Iustices of the peace (wher-
of one to be of the Quorum) and shall be bound with suretie by Recogni-
sance, against the vsing of unlawfull games, and for the maintenance of
good order, (for the making of which Recognisance he shal pay but xii. s.)
the same shall be committed by the Iustices, or two of them, (whereof one
to be of the Quorum) to the common Gaole, within the same Shire, Ci-
tie, Borough, &c. there to remaine without baile or mainprise thre daies.
And before his deliuerance shal be bound in Recognisance, with two sure-
ties that he shall not keepe any common Alehouse, or vse selling of Ale or
Beere, and shall for his fine pay xx. s. And the certificat of a Recogni-
sance and the offence, at the next Quarter Sessions made by a Iustice of
peace, shal be a sufficient conuiction of the offence. 5. E. 6. 25.

Alehouses kept
in Faires.

3 But in such Townes and places where any Faires shall be kept, it
shall be lawfull for the time onely of the same Faires, for euery person to
vse common selling of Ale or Beere, in booths, or other places, for the
reliefe of the Queenes subiects that shall repaire to the same, in such ma-
ner as they haue vled. 5. Ed. 6. 25. See Iustices of peace 71.

Aliens, Strangers, and Denizens.

Aliens shall
make no cloth.

NO person not bozne vnder the Queenes obeisance, or made Deni-
zen, being Artificer or Handycrafts man, nor none other for him, or
to his vse, shall make any cloth, or put any wooll to worke, to make any
cloth

cloth in this Realme, vpon paine to forfeit the same cloth: Nor shall sell any wares within this Realme, but onely in grosse, and not by retails, and in the port, towne, or place, where the same Artificer shall be dwelling, and in none other place, vpon paine to forfeit the same warres to the Queene, and him that will seise or sue for the same by A. J. &c. wherein no W. &c. E. P. &c. 1. R. 3. 9. See Marchants 1.

Aliens that sell no wares but in grosse.

2 No Stranger bozne, not being Denizen, shall conuey into any partes out of the Queenes obeisance, wythout her licence, any long bowes, arrowes or shaftes, vpon paine of forfeit. of the same or the value thereof, and imprisonment. Nor shall vse shooting with long bowes within the Queenes obeysance without her licence, vpon paine of forfeiture of the bowes and arrowes wherewith he shall be found shooting. And euery of the Queenes subiects may seise the same, &c. 33. H. 8. 9. See Archerie 6. 7.

Transporting of bowes, and using of shooting.

3 Euery Alien made Denizen, shall pay to the Queene and her heires, and to euery other person, and to all Officers of cities, boroughes, and townes, all such Subsidies, Customs, Tolles, dueties, & other summes of money for their wares, marchandizes, and goodes, as they should haue paid, before they were Denizens: any graunt made, or to be made, or any statute &c. notwithstanding. But all Officers of cities, boroughes, and townes, wherein any such dueties &c. shall be demanded, shall set vp in open place of such citie, borough, or towne, a table or tables, by which the certaintie and duetie of such Custome, Tolle, &c. may appeare, to the intent nothing may be exacted, otherwise then hath bin accustomed. This Act shall not be preiudiciall to the Marchants of the Stillard in London, but they shall enioy such priuiledges &c. as they had before the making thereof. 22. H. 8. 8. See Corporation 6.

Denizens shall pay such duties as they did before.

Marchants of the Stillard.

4 All Aliens bozne being Denizens, or not Denizens, vsing any maner of handycraft, inhabiting within London, or the suburbs thereof, within Westminster, the parish of Saint Martins in the field, the parish of our Lady of the Stronde, Saint Clements of Danes, Saint Giles in the field, Saint Andrewes in Holbozne, the towne and borough of Southwark, Shorditch, White Chappell parish, Saint Jones streete, the parish of Clerkenwell, Saint Botolphes parish wythout Algate, Saint Katherine's, Barmondsey streete, or wythin two myles compasse of the said Citie of London, or the Parishes aforesaid, shall be under the search and reformation of the Wardens and Fellowship of the handycrafts which they doe occupie within the said Citie, with one substantial Stranger being an householder of the same Craft by the same Wardens to be chosen. And those Wardens and Stranger shall appoint to euery Alien being a black Smith, Cowper, Pouchmaker, or Joyner (taking nothing therfore) a mark, which he shall put vpon his work, ware, or possessell. And if any Stranger vsing the mysterie of Smiths, Joyners, or

Aliens within London or two miles compasse be under the search of the Wardens of the mysteries they occupy.

Euery Alien shall haue a mark to set vp on his work.

Aliens, Strangers, and Denizens.

Coopers, shal make any wares or vessels concerning the same mysteries, and do not put such mark to euery of them, befoze they be put to sale or vse, without taking any thing therfore, he shall forfeit the double value of the same wares and vessels to the M. and A. to be recovered by A. J. &c. wherein no M. &c. E. or P. &c. But if the said Wardens &c. refuse to mark the wares of any Stranger requesting the same, then the stranger may put to sale his said wares. 14. H. 8. 2.

Wardens shall search all Aliens work.

5 The Wardens of euery such mystrie, calling to them one Stranger of the same mystrie, being a householder, haue power to search, view, and reforme in London, and other places aforesaid, all wares of workmanship made by handycraft men being Aliens. And if vppon such search, they shall find and adiudge any vessels, or ware, in the possession of the workers or owners falsly and deceitfully made to the hurt of the Queenes people, then the same worker or owner, in whose possession the same false and deceitfull wares shall be found, shall forfeit the same to the Queene and the first finder thereof, to be recovered in any of the Queenes Courts, by action of Detinue, wherein no M. E. or P. &c. 14. H. 8. 2. And if any Stranger artificer that is an householder being required by the Wardens, Gouvernors, or their deputies, do refuse to go with the said Wardens to make search in forme aforesaid, and that be proued befoze the Chaunceloz of England, the Maior of London, or the chiefe Officer of the citie, borough, towne, where &c. he shall vse such occupation no more within England. 21. H. 8. 16.

A Stranger artificer being required, refuseth to go to make search.

Wardens, baylives, gouernors may search aliens.

6 Wardens and Masters of fellowships of all handycrafts within any Citie, Borough, or Towne corporate where Wardens be, and the Bailives or Gouvernors of townes &c. where no Wardens be, haue authoritie with the Bailife or Bailifes of the Libertie, where any Libertie is, (being content so to do,) to view, search, and reforme Strangers, inhabiting and vsing within any such Citie, Towne, &c. any handycraft, in as ample maner as the Wardens and fellowship of London may do by this Act. And all Strangers vsing any of the said handycrafts, in any of the said cities, boroughes, &c. be bound to do and obey in euery thing according to the tenor of this Act, vpon the paines and forfeitures, and to be recovered as is aboue remembred. But this Act doth not extend to the inhabitant Strangers in the Uniuersities of Oxford, or Cambridge, or within the Sanctuarie of great Saint Martins within London. 14. H. 8. 2.

Aliens in Oxford, Cambridge & great Saint Martins.

The remedie if Aliens be intreated wrongfully.

7 If the Wardens of any fellowship &c. Bailifes, Gouvernors, &c. will wrongfully intreat any Stranger in executing any thing contayned in this Act, then the Stranger grieved, may by bill or information complain to the Lord Chaunceloz, and Treasorer of England, or to the Iustices of the Assise in the Countie, which by their examinations haue authoritie to heare and determine che same complaint, and to award to the complainant such amends, as by them shall be thought reasopable. 14. H. 8. 2.

8 All Strangers artificers made Denizens, that will inhabite within London, the Suburbes or Parishes aforesaid, or within two myles compasse of the same, and keepe houses and occupie their Craft, shall be contributozie to and with the Queenes subiects artificers within London, paying and bearing the charges following: (that is to say) euery Stranger Cordwayner, being an housholder, which worketh old stufte or new, shall quarterly pay to the Master, Wardens, and Comminaltie of the said Craft of Cordwayners within the said Citie vi. s. And euery seruant Stranger not being Denizen shall pay quarterly iii. s. And all other Strangers, Artificers, and Denizens of euery handycraft, inhabiting within London, or any other Citie or Towne within this Realme, shall pay, beare, and sustain all like charges, as the Queenes subiects of like mysterie, bozne out of her obepsance, inhabiting within the same citie, towne, &c. do beare. And all Strangers, Artificers, and Denizens exercising the said craft of Cordwayners, dwelling out of London, in any other Citie or Towne, shall pay, beare, and sustain scot, taxes, tallages, subsidies, prefts, and all other reasonable exactions, as the Masters, Wardens, and companies of the said Crafts for the time being, be bound to pay, when any subsidie, taxe, tallage, or preft, or other reasonable charges shall be assessed by the Maior and Aldermen or common Counsell of the said Cities, Townes, &c. of, or for any charge or payment of money to be paid vnto the Queene, or for any cause concerning the common wealth of the said Cities, Townes, or Artificers &c. And whosoever denieth to pay as contributozie with the said Companies, shall not any longer occupie any handycraft, vpon paine to forfeit x. li. to the Queene and to be recovered by A. J. &c. wherein no W. C. or W. &c. 21. H. 8. 16.

Aliens shall be contributozie to subsidies and taxes.

Quære whether he shall forfeit x. li. all his goodes, or the value of Quære. the thing by him sold.

9 The Stranger Artificer, Denizen, or not Denizen, being a householder, which will remaine within this Realme, shall vpon lawfull notice to him giuen by the Master or Wardens of his craft, or one of them, personally present him in the common Hall, or meeting place of the said Craft, within the Citie or Towne where he doth inhabite, and there shall be sworn vpon the holy Euangelistes to be faythfull and true to the Queene and her heires, Kings or Queenes of England, and to be obedient to her and her Lawes, and to all Acts, ordinances, and decrees made and confirmed by her and her Counsel, or by her Counsel. And that at all times when he shalbe appointed by the Wardens of the fellowship &c. or their deputies, he shall be ready to goe with the said Wardens to make search. And that he shall not giue notice to any Stranger of the said search, vntill he with the said Wardens come together to make the same. And that he shall well, indifferently, and truely behaue himselfe, setting all affection, fauour, malice, and dread of any creature, and all fraud and

The Strangers Oath.

Aliens, Strangers, and Denizens.

deceit apart. And the Oath so receiued, the said Stranger shall pay for his admision, as the Queenes subiects vse to pay. 21. H. 8. 16.

Denizen Artificer onely shall keepe house, shop &c.

10 No Stranger Artificer not being Denizen, shall set vp or keepe any house, shop, or chamber within London, or any other citie, towne, borough, or village wherein he shall exercise any handycraft or myserie, vpon paine to forfait all his goodes. 1. R. 3. 9. 21. H. 8. 16.

Aliens shall not assemble in companies, but in their Halls.

11 No Stranger Artificers, Denizens, or other bozne out of the Queenes obeysance, shall assemble in any companie, fellowship, congregation or conuenticle, but onely in the common Hall of their craftes, with the Queenes subiects of the same craftes, at such time as they shalbe commaunded by the Master and Wardens of the said craftes, and at none other place, or time, or in other maner, vpon paine to forfait all their goodes. 1. R. 3. 9. 21. H. 8. 16.

Aliens victuallers may come into the Realm and sell their victuall.

12 All Aliens being in friendship with the Queene and the Realme, and comming within any Cities or Townes within the Realme, with fish or other victuals, and there carying and returning againe to their owne Countreys, shall be vnder the Queenes protection, and it shall be lawfull to euery of them to cut their fish and victuals in peeces, and by retaile, or in grosse to sell the same. 6. R. 2. 10. And if any man disturbe any Alien to sell his fish in forme aforesaid, he shall forfait x. pound. 14. H. 6. 6. See Victuals 2.

Handycrafts men.

13 No person stranger being a common Baker, Bzuer, Surgeon, or Scriuener shall be interpreted a handycrafts man by reason of vsing any of the said sciences of Baking, bzuing, Surgerie, or wryting. 22. H. 8. 13.

Leases of houses to Aliens being not Denizens.

14 All leases of any dwelling house or shop within any the Queenes dominions, made to any stranger Artificer or handycrafts man, bozne out of the Queenes obeysance not being Denizen, shalbe voide. And no stranger Artificer or handycrafts man, bozne out of the Queenes obeysance not being Denizen, shall take any lease of any dwelling house or shop, within any the Queenes dominions, vpon paine to forfait for euery time doing contrarie v. li. And no person shall graunt or let to ferme, any dwelling house or shop to any such Stranger &c. not being Denizen, to the intent to inhabit in the same vpon like paine to forfait v. li. to the D. and J. to be recovered by A. J. &c. wherein no C. &c. E. or P. &c. 32. H. 8. 16.

Aliens bound vnto the lawes of this Realm.

15 Euery Alien bozne out of the Queenes obeysance not being Denizen, which now be, or hereafter shall come in or to this Realme, or elswhere within the Queenes dominions, shall be bound by and vnto the Lawes & Statutes of this Realme, and to all the contents of the same. And all Strangers bozne out of her Graces obeysance, which heretofore haue bin made Denizens, or that hereafter shall be made Denizens shall be bound & obedient by and vnto all the foresaid Statutes made 1. R. 3.

14. H. 8. & 21. H. 8. and to all the contents of the same, and to all other Statutes heretofore made now being in their force: any letters patents or ordinances heretofore made, or hereafter to be made to the contrary &c. notwithstanding. And also in every letters Patents, of, or for the making of any Denizen, to be made to any Stranger, not being borne under the Queenes obedience, shalbe contained a Prouiso, that he to whom such letters Patents shalbe so granted, shalbe bound & obedient by and vnto all the Acts & statutes of this Realme, and to all & euery the contents of the same, except it shalbe the Queenes pleasure to graunt to any such Alien, any speciall libertie or priuiledges, more or otherwise then is contained in the said Statutes. And in that case all such libertie and priuiledges so to be graunted to any such Alien, contrarie to the forme of any of the said Statutes, shall be plainly, wholly and particularly expessed by speciall words, as well in the bill assigned with the Queenes hand for obtaining of any such grant, as in the letters Patents to be made out of the Chancerie for the same. 32. H. 8. 16.

Denizene bound to obey the Statutes.

A Prouiso in patents made to Denizens.

16 In the foresaid Statutes of 1. R. 3. 14. H. 8. 21. H. 8. & 32. H. 8. there be seuerall ordinances for the taking and keeping of Apprentices, Journeymen, & seruants by Aliens, and of Aliens: but the force of them seemeth to be taken away by the statute made 5. Eliz. 4. which repealeth all Statutes before that time made, concerning the hyring, keeping, order &c. of Seruants, Artificers, Apprentices &c. and the penalties concerning the same. Sed Quære.

Statutes repealed.

Quære.

1 Where an Enquest shalbe *de Medietate lingua*, an Alien being partie, and where not. See Iurors 29. 30. Attaints 21.

Trial.

2 That no Alien borne, shall work vessell made of Tinne or Pewter. S. Pewter 8. Utensill.

3 That no Alien shall take a Benefice, nor that any shall occupie it to his vse without the Queenes licence. S. Premunire 2. 4.

4 That Aliens being in amitie with the Queene, may bring in victuals Vitailles, and sell them in grosse, or by retaille. S. Vitailers 2. Marchants 1.

5 At what time of the yeere a Marchant Alien may buy woll. S. Woolles. Woolles 6.

Wool.

6 That no Alien shall force, clak, or beard wooll. S. Wolles 8.

7 That Aliens borne, whose parents be vnder the Queenes obedience, be inheritable in England. S. Abilitie 2. Inheritables

8 In what case Herring may be bought of an Alien, and in what not. S. Fish 13. Herring.

9 That Aliens shal imploie their money here receiued vpon the commodities of this Realme. S. Marchants 9. 10. Money.

Money.

Custom.

10 That gold or siluer may not be deliuered to any Alien. S. Money 2. Gold.

11 What custome Aliens shal pay for salted Fish or Herrings brought into this Realme. S. Fish 18. Custom.

Amerciament.

Apparance.

Apparell.

12 A remedy for Aliens which be robbed on the sea. S. Safeconductes 3.

13 That no Alien shall weaue or make any Worsteds, Sayes, or Stamines in great Yarmouth or Linne. S. Worsteds 7.

Amerciament.

None shall be amerced, but according to their offence.

NO Citie, Borough, or Towne, nor no man shalbe amerced, but for reasonable cause, and according to the quantitie of his offence, and a free man sauving his freehold, a Marchant sauving his marchandize, and any other mans villein (except the Queenes) sauving his villein tenure, if he offend the Queene. And none of the said amerciaments shall be assessed, but by the oath of honest and lawfull men of the same vicinage, Magna charta, 9. H. 3. 14. Westm. 1. 3. Ed. 1. 6.

Amerciament of Barons and Spiritual persons.

2 Earles and Barons shall not be amerced but by their Peeres. And a spirituall person shall not be amerced according to his ecclesiasticall lyeuing, but by his ley fee: And those amerciaments shall be but according to the quantitie of their seuerall offences, Magna charta. 9. H. 3. 14.

Apparance.

Entry that the plaintife offered himselfe in proper person.

IF any Philozer, Crigenter, or any other Officer of the Kings bench, or Common place, do make any entrie in any suite, that the plaintife in the same suite hath offered himselfe in his owne proper person, except the plaintife in the same suite (before such entrie be made) doe appeare in his owne proper person before some of the Iustices of the place where the plea is depending, and there be swozne vpon a booke that he is the same person, in whose name the said suite is sued, or that some other credible person of the Queenes Counsel, will take such oath for him, the said Philozer &c. shall forfait xl. s. to the D. every time that he shall be attainted, by examination of any of the Iustices of the same place, where any such entrie or record is. 10. H. 6. 4. 18. H. 8. 9.

Apparell.

Purpure silke, Cloth of gold of Tissue.

NO person or persons shall vse or weare in any their apparell, or vpon their horse, mule, or other beast, any Silke of the colour of purpure, ne any cloth of Gold of Tissue, but only the King, the Queene, the kings Mother, the kings Children, the kings Brethren & Sisters, the kings Uncles and Aunts (except Dukes and Marqueses, which may weare in their doublets and sleeueles coates onely, cloth of Gold of Tissue, not exceeding the price of v. pound the yard.) But this word Purpure doth not extend to any Mantell of the order of the Garter. 24. H. 8. 13.

Cloth of gold, siluer, tincel, satten, imbroydery.

Sables.

2 No man vnder the estate of an Earle, shall weare in his apparell of his body, or vpon his horse, mule, or other beast, or harneis of the same beast, any cloth of gold or siluer, or of Tincel satten, or any other silke or cloth mixed or imbroyderyd with gold or siluer: Nor any Furres of Sables (except Vicounts & Barons, which may weare in their doublets and sleeueles coates, cloth of gold, siluer, or tincel.) 24. H. 8. 13.

3 No man vnder the state of a Duke, Marques, Earle, & their children, or vnder the degree of a Baron (except he be a Knight of the Garter,) shall weare in any part of his apparell, any wollen cloth made out of England, Ireland, Wales, Calles, Barwicke, or the Marches of the same, (except in bonets onely) nor shall weare in any maner of apparell of his body or on his Horse, Gule or other beast, or harneis of the same beast, any Crimosen, Scarlet, or blew Veluet, nor any Furies of blacke Ienets or Lucernes, nor any maner of embroidery. 24. H. 8. 13.

Wollen cloth made beyond the sea.

Coloured velvet, furies, embroidery.
Collar of ss.

4 No man (vnlesse he be a Knight) shall weare a Collar of gold, named a Collar of ss. 24. H. 8. 13.

5 No man (vnder the degree of a Barons sonne, or of a Knight) except he may dispend in lands or tenements, rents, fees, or annuities, to his owne vse for terme of life, or for terme of another mans life, or in the right of his wife, two hundred pounds ouer all charges) shall vse or weare any chaine of Gold, Bracelet, Duch, or other ornament of gold in his owne apparell, or on his horse &c. (except such Chaine, Jewel, Duch, or ornament be in weight one ounce, or aboue of fine gold, & except rings of gold, to be worne on their fingers, with stones, or without.) Nor shall weare any velvet in their gownes, coates with sleeues, or other vttermoost garments, nor any furies of Libards, nor embroidery, picking or printing with gold, siluer, or silke in any part of their apparell, or on their horses, mules, or other beasts. 24. H. 8. 13.

Ornaments of Gold.

C. li. freehold

Velvet, furies, embroidery.

6 No man vnder the foresaid estates and degrees, other then such as may dispend cleerely in lands and tenements, rents, fees, or annuities, by some estate of freehold C. l. a yere, shall weare any satten, damaske, silke, Chamlet, or Tassata in his gowne, Coate with sleeues, or other vttermoost garment, nor any velvet but in sleeueles iackets, doublets, coifes, partlets, or purses, nor any Furies whereof the like kind groweth not within England, Ireland, Wales, Calles, Berwicke, or the Marches of the same, (except Foynes, Gray Ienets, and Budge.) 24. H. 8. 13.

C. li. freehold

7 No man vnder the said degrees, other then the sonne and heire apparant of a Knight, or the sonne and heire apparant of a man which may dispend 300. Marks by the yeere (ouer all charges) or a man which may dispend in lands & tenements, rents, fees, annuities, or other yeerely profits as is aforesaid, xl. l. a yeere (aboue all charges) shall weare in his gowne, or any other his vttermoost apparell, any Chamlet or silke, nor in any part of his apparell, any silke other then Satten, Damaske, Tassata, or Sarcenet in his doublets, & Sarcenet, Chamlet, or Tassata in lining of his gownes, and the same or Velvet in his sleeueles coats, iackets, ierkins, copfes, caps, purses or partlets, (the colours of Scarlet, Crimson & Blew excepted.) Nor shall weare any Furre of Foynes, Gray Ienets, nor any other Furre whereof the like kind groweth not within England, Ireland, Wales, Calles, Berwicke, or the Marches of the same, (except before

The sonne and heire of a Knight, or of a man which may dispend C. li.

xl. li. freehold.

Amerciament. Apparance. Apparell.

12 A remedy for Aliens which be robbed on the sea .S. Safeconductes 3.

13 That no Alien shall weaue or make any Worsteds, Sayes, or Stamines in great Yarmouth or Linne .S. Worsteds 7.

Amerciament.

None shall be amerced, but according to their offence.

NO Citie, Borrough, or Towne, nor no man shalbe amerced, but for reasonable cause, and according to the quantitie of his offence, and a Free man sauving his freehold, a Marchant sauving his marchandize, and any other mans villein (except the Queenes) sauving his villein tenure, if he offend the Queene. And none of the said amerciaments shall be assessed, but by the oath of honest and lawfull men of the same vicinage, Magna charta, 9. H. 3. 14. Westm. 1. 3. Ed. 1. 6.

Amerciament of Barons and Spiritual persons.

2 Carles and Barons shall not be amerced but by their Peeres. And a spirituall person shall not be amerced according to his ecclesiasticall luying, but by his ley fee: And those amerciaments shall be but according to the quantitie of their seuerall offences, Magna charta. 9. H. 3. 14.

Apparance.

Entry that the plaintife offered himselfe in proper person.

IF any Philozer, Exigentor, or any other Officer of the Kings bench, or Common place, do make any entrie in any suite, that the plaintife in the same suite hath offered himselfe in his owne proper person, except the plaintife in the same suite (before such entrie be made) doe appeare in his owne proper person before some of the Iustices of the place where the plea is depending, and there be swozne vpon a booke that he is the same person, in whose name the said suite is sued, or that some other credible person of the Queenes Counsel, will take such oath for him, the said Philozer &c. shall forfait xl. s. to the Q. every time that he shall be attainted, by examination of any of the Iustices of the same place, where any such entrie or record is. 10. H. 6. 4. 18. H. 8. 9.

Apparell.

Purpure like, Cloth of gold of Tissue.

NO person or persons shall vse or weare in any their apparell, or vpon their horse, mule, or other beast, any Silke of the colour of purpure, ne any cloth of Gold of Tissue, but only the King, the Queene, the kings Mother, the kings Children, the kings Brethren & Sisters, the kings Uncles and Aunts (except Dukes and Marquessees, which may weare in their doublets and sleeueles coates onely, cloth of Gold of Tissue, not exceeding the price of v. pound the yard.) But this word Purpure doth not extend to any Mantell of the order of the Garter. 24. H. 8. 13.

Cloth of gold, silver, tinsel, fatten, imbroder.

Sables.

2 No man vnder the estate of an Earle, shall weare in his apparell of his body, or vpon his horse, mule, or other beast, or harneis of the same beast, any cloth of gold or silver, or of Tincels Satten, or any other silke or cloth mixed or imbrodered with gold or silver: Nor any Furrres of Sables (except Viconts & Barons, which may weare in their doublets and sleeueles coates, cloth of gold, silver, or tincell.) 24. H. 8. 13.

3 No man vnder the state of a Duke, Marques, Earle, & their children, or vnder the degree of a Baron (except he be a Knight of the Garter,) shall weare in any part of his apparell, any wollen cloth made out of England, Ireland, Wales, Calleis, Barwicke, or the Marches of the same, (except in bonets onely) nor shall weare in any maner of apparell of his body or on his Horse, Mule or other beast, or harneis of the same beast, any Crimolin, Scarlet, or blew Veluet, nor any Furres of blacke Genets or Lucernes, nor any maner of embroidery. 24. H. 8. 13.

Wollen cloth made beyond the sea.

Coloured velvet, furies, embroidery.

4 No man (vnlesse he be a Knight) shall weare a Coller of gold, named a Coller of SS. 24. H. 8. 13.

Coller of SS.

5 No man (vnder the degree of a Barons sonne, or of a Knight) except he may dispend in lands or tenements, rents, fees, or annuities, to his owne vse for terme of life, or for terme of another mans life, or in the right of his wife, two hundred pounds ouer all charges) shall vse or weare any chaine of Gold, Bracelet, Duch, or other ornament of gold in his owne apparell, or on his horse &c. (except such Chaine, Jewel, Duch, or ornament be in weight one ounce, or aboue of fine gold, & except rings of gold, to be worne on their fingers, with stones, or without.) Nor shall weare any veluet in their gownes, coates with sleeues, or other vttermoost garments, nor any furies of Libards, nor embroidery, pycking or pryncing with gold, siluer, or silke in any part of their apparell, or on their horses, mules, or other beasts. 24. H. 8. 13.

Ornaments of Gold.

C. li. freehold

Veluet, furies, embroidery.

6 No man vnder the foresaid estates and degrees, other then such as may dispend cleerely in lands and tenements, rents, fees, or annuities, by some estate of freehold C. l. a yere, shall weare any satten, damaske, silke, Chamlet, or Taffata in his gowne, Coate with sleeues, or other vttermoost garment, nor any veluet but in sleeueles iackets, doublets, coifes, partlets, or purses, nor any Furies whereof the like kind groweth not within England, Ireland, Wales, Calleis, Barwicke, or the Marches of the same, (except Foynes, Gray Genets, and Budge.) 24. H. 8. 13.

C. li. freehold

7 No man vnder the said degrees, other then the sonne and heire apparant of a Knight, or the sonne and heire apparant of a man which may dispend 300. Marks by the yeere (ouer all charges) or a man which may dispend in lands & tenements, rents, fees, annuities, or other yeerely profits as is aforesaid, xl. l. a yeere (aboue all charges) shall weare in his gowne, or any other his vttermoost apparell, any Chamlet or silke, nor in any part of his apparell, any silke other then Satten, Damaske, Taffata, or Sarcenet in his doublets, & Sarcenet, Chamlet, or Taffata in lining of his gownes, and the same or Veluet in his sleeueles coats, iackets, ierkins, copfes, caps, purses or partlets, (the colours of Scarlet, Crimson & Blew excepted.) Nor shall weare any Furre of Foynes, Gray Genets, nor any other Furre whereof the like kind groweth not within England, Ireland, Wales, Calleis, Barwicke, or the Marches of the same, (except

The sonne and heire of a Knight, or of a man which may dispend C. li.

xl. li. freehold.

before

Apparell.

before excepted.) Noz shall weare any Aglets, Buttons, Brouches of gold or siluer, gilt or counterfait gilt, or made with any other deuise of any waight, noz shall weare any Chaîne of gold of lesse waight & value then x. ounces of Troy weight of fine gold. 24. *l*. 8. 13.

xx. li. freehold. 8 No man vnder the said degrees (other then such Gentlemen which may dispend in lads &c. as is aforesaid *xx. l*. a yeere ouer all charges) shall weare any maner of silke in any apparell of his body or of his Horse &c. except it be Satten, Cassata, Sarcenet or Damaske in his doublet or cypse, and Chamlet in his sleeuelsse Jackets, and a lace of silke for his Bonet, or points, laces, girdles, or garters made in England or Wales, or shall weare any Furies of blacke Conie or Budge. 24. *l*. 8. 13.

xl. li. freehold. 9 No man vnder the said degrees (other then such as may dispend in lands &c. as is aforesaid, *v. l*. a yeere aboue all charges,) shall weare any cloth of the colour of scarlet, crimson, or violet engrained, noz any silke in their doublets or iackets, noz any other cloth in any garment aboue the price of vi. *s*. viii. *d*. the broad yard, noz any other thing made out of this realme, except chamblet in their doublets, and iackets, 24. *l*. 8. 13.

Seruingman, xl. s. freehold. 10 No Seruingman, noz other Peoman taking wages, or such other as may not dispend *xl. s*. of free hold by yeere, shall weare any cloth in his hose aboue the price of ii. *s*. the yard, noz in his gowne, coate, iacket, or other garment aboue the price of iii. *s*. iiiii. *d*. the broad yard, except it be his Masters liuerie, noz shall haue any hose garded or mixed with any other thing that may be seene, on, or thzough the better part of his hose, but with the same cloth onely. Noz shall weare any Furre, except blacke or white Lambe, or gray Conie, growing within England, Wales, or Ireland. Noz shall weare any shirt, or shirt band, vnder or vpper cap, cypse, bonet, or hat, garnished, mixed, made, or wrought with silke, gold, or siluer, noz any bonet, or shirt band wrought out of England, or Wales, But he may weare a silke riband for his bonet, the cognisance or badge of his Lord or Master, and a horne tipped or fiewed with siluer, gilt or vngilt. And all persons may weare on their bonets, all games of siluer gilt or vngilt, which they win by wrestling, running, shooting, leaping, or casting of the barre, and Masters of ships or other vessels, and Mariners may weare whistles of siluer, and chaines to hang the same vpon. 24. *l*. 8. 13.

*Games of sil-
uer.*

Mariners.

Husbandman.

11 No husbandman shall weare any cloth aboue the price of ii. *s*. the yard in his hose, ii. *s*. viii. *d*. the broad yard in his coate or iacket, iii. *s*. the broad yard in his gowne, noz any other thing in his doublet, then is wrought within this Realme, (Fustian and Canuas onely excepted) noz shall weare any furre in any of his apparell. 24. *l*. 8. 13.

*Servants in
Husbandry,
Jorneyman.*

12 No servant in Husbandry, or Jorneyman in Handicraftes taking wages, shall weare any cloth aboue the price of xvi. *d*. the yard in his hose, of ii. *s*. viii. *d*. the broad yard in his gowne, iacket or coate, noz in his doublet any other thing then fustian, canuas, lether, or wollen cloth, noz shall

Shall weare any Furre in any his apparell. 24. H. 8. 13.

13 None of the Clergie vnder y^e dignitie of a Bishop shal weare in any part of their apparel of their bodies or on their horses any stuffe wrought out of Englan, Irelan, Wales, Calles, Berwicke or the Marches of the same, except that it shalbe lawfull to all Archdeacons, Deanes, Prouosts, Masters, and Wardens of Cathedral and Collegiat Churches, Prebendaries, Doctors, or Bachelers in Diuinitie, Doctors of the one law or the other, and Doctors of other Sciences, which haue taken that degree, or be admitted in any Uniuersitie, to weare Sarcenet in the lining of their gownes, blacke Satten or blacke chamlet in their doublets, and sleeuelesse coates, & blacke Ueluet, or blacke Sarcenet, or blacke Satten in their tippets & riding hoods, or girdles. And also cloth of the colours of Scarlet, Purp^{le} or Violet, and Furies called Gray, blacke Budge, foines, Shaks or Mineuer, in their gowns & sleeueles coates. 24. H. 8. 13.

14 None of the Clergie vnder the degrees aforesaid, shall weare any manner of furies, other then blacke Cony, gray Cony, Budge, Shaks, Calaber, Gray, Fich, Fore, Lambe, Otter, & Beuer. Nor any Sarcenet or other silke in their Tippetts, except he be a Master of Art, a Bachelor of the one Law, or other, admitted in any Uniuersitie, or such other of the said Clergie, as may dispend yeerely xx. l. aboue all charges. 24. H. 8. 13.

15 If any man vse or weare any apparell, or other the p^{re}misses contrary to the tenor & forme aforesaid, then he shal forfeit the same so by him vsed or worne vpon his person, horse, mule, or other beast, or the value thereof, & also iii. s. iiii. d. in the name of a fine for euery day that he shall so weare the same to the Queene and A. &c. And euery man that will, may lawfully sue for the same by action of Detinie, to be commenced within xv. daies next after the beginning of the Terme next ensuing such cause of forfeit. wherein no A. &c. E. or P. &c. 24. H. 8. 13.

16 All such Officers and seruants waiting or attending vpon the Q. daily, yeerely or quarterly in her household, or being in her Eschequer roll, as shalbe admitted, assigned, and licenced by her Grace to vse or weare any manner apparell on their bodies, horses, &c. (otherwise then is before exp^{re}ssed) shall lawfully do the same, according to the license giuen vnto them in that behalfe, the same license to be declared in w^{ri}ting by the Q. or the Lord Steward of her household, or the Lord Chamberlaine, knowing the Queenes pleasure in the same. And the Lord Ch^{anc}ello^r, the Lord Treasor^{er}, the President of the Queenes Counsell, and the Lord Priuy Seale for the time being, of what estate or degree soener they be besides those ropmes, may weare in their apparell, Ueluet, Satten, & other likes of any colours (except Purp^{le}) & any manner of Furies (except blacke Genets.) And this Acte shall not extend nor be p^{re}iudiciall to any of the Queenes Counsell, ne to Iustices of the one Bench or the other, the Barons of the Eschequer, the Master of the Rols, Serieants at law, the Masters of

Certaine persons excepted and permitted to weare apparell, to others forbidden.

Apparell.

of the Chancerie, Apprentises of the Law, the Queenes Physicians, Maiors, Recorders, Aldermen, Sherifes, Baylifes elect, & all other head Officers of Cities, Townes, & Boroughs corporat, Wardens of Occupations, the Barons of the five Portes, that is to say, to all the sayd Officers, & persons that now be, or heretofore haue bene in like roome, place, office, or authoritie, or hereafter for the time shall be, aswell in the time, as after that they haue bene in any such place, office, roome, or authoritie, but that they shall at all times weare all such apparell in & vpon their bodies, horses &c. And also Citizens and Burgesles, shall now weare such hoods of cloth and of such colours, as they haue heretofore vsed to weare (except it shall not be lawfull to any of them to weare Vcluet, Damaske or Satten, of the colours of Crimlin, Violet, Purpure, or Blewe, otherwise then by the content of this Act in any of the clauses before mentioned, is by reason of their lands, or otherwise permitted, limited or assigned.) He shall this Act extend to Ambassadors or other personages sent from outward Princes, or to Noble men, or other comming into the Queenes Realme or other part of her obeysance, to visite, see, or salute her Grace, or to see the countrey, & not minded to make long or cōtinuall demurre in the same. He to any Benchman, Herald, or Pursuant at Armes, Minstrels, Plaiers in Enterludes, Sightes, Reuels, Justes, Turneis, Barrriers, solemne Matches, or other Martiall feats or disguising, or to men of Warre, being in the Queenes wages of warre. Nor to any man for wearing any apparell giuen vnto him by the Queene, nor to any Sword-bearer of any Citie, Borough or Towne corporat. Nor shal extēd to any Utterbarrester of any of the Innes of court, for wearing in any of his apparell such Silke & Furre, as is before limited, for men that may dispend in land, rents, &c. for terme of life xx. l. ouer all charges. Nor to any other Student of the Innes of the Court or Chauncery, nor to any Gentleman being seruāt to any Lord, Knight, Esquire or Gentlemā of this Realme, whose Master may dispend xl. l. ouer all charges, for wearing by such Student or Gentleman being seruāt, of doublets & partlets of Satten, Damaske, or Chamlet, or Jackets of Chamlet, which be giuē vnto them, by any of their parents, masters or kinsfolks, (so alwaies that they be not of the colours of Crimson, Purpure, Scarlet, or blew) or for wearing of any Furres, whereof the like groweth within this Realme, Wales, or Ireland (Martins & blacke Cony except.) Nor shall be preiudicial to any Spirituall or Tempozall person, for the wearing any ornaments of the Church, vsed for executing diuine Seruice, or for wearing their Amices, Mantels, Habites or garments of Religion, or other things, which they be vsed or bound vnto by their roomes, promotions, or Religions. He to any Graduates, Beadles, or ministers to the Graduates in Uniuersities & Schooles, for wearing of their Habites or Hoods with Furres, linings or otherwise, after such forme as heretofore they haue bene accustomed

to do. Noꝛ to any person foꝛ wearing of any linnē cloth made oꝛ wrought out of the Queenes obeyſance. Ne to any person being of the degree of a Gentleman, foꝛ wearing of any ſhirt, made, wrought oꝛ embꝛodered with thꝛead and Silke onely, ſo the ſame woꝛke oꝛ imbꝛoderie be made within this Realme of England, Wales, Calleis, Berwicke, oꝛ the Marches. 24. H. 8. 13.

17 No person boꝛne within this Realme oꝛ the Dominions of the ſame, ſhall weare any maner of Silke in oꝛ vpon his Hat, Bonet, Nightcap, girdle, ſcaberd, hoſe, ſhoes, oꝛ ſpurre leathers, vpon paine of thꝛee moneths impꝛiſonment, & foꝛfeiture of x. P. foꝛ euery daies wearing, except he be the ſonne & heire of a Knight, oꝛ of oꝛ aboue the degree of a Knights ſonne oꝛ daughter, oꝛ wiſe to any of them, oꝛ may diſpend xx. P. by the yeere, in lands, offices, fees, oꝛ other yeerely reuenues foꝛ the terme of life, oꝛ be woꝛth in goods CC. P. And except them which haue bene, be, oꝛ ſhal be Maior, Bailife, Aldermā oꝛ head Officer, in any Citie, Boꝛough, oꝛ Towne corꝛorat, & their wiues, & the Queenes ſeruants in ordinarie wages attendant & wearing the Queenes ordinarie liueries, and women which may weare in their Caps, Hats, Girdles, & Hoods, as they might uſe & weare lawfully befoꝛe the making of this Act. 1. and 2. H. 8. and H. 2.

Theſe onely be allowed to weare ſilke.

18 If any person knowing his ſeruant to offend contrary to this ſtatute, do not put him foꝛth of his ſeruice within xiiii. daies next after ſuch knowledge had (except he be his Apprentice oꝛ hired ſeruant, which he may keepe to the end of his terme) oꝛ els being put foꝛth of his ſeruice do reſtaine him againe within one yeere next after the offence, he ſhall foꝛfeit foꝛ euery ſuch offence C. P. to the Queen and In. to be recouered by A. R. &c. wherein no W. &c. E. oꝛ D. &c. 1. and 2. H. 8. and H. 2. See Corporation 8. Juſtice of peace 42. maineprife 11.

The Maſter ſhall put his ſeruant offending, foꝛth of ſeruice.

1 Where the wiues apparell doth enforce the husband to keepe any Horſe or Armour. S. Armour 2. Horſes 11.

2 Who may weare any Veluet Cap, or Veluet Hat, and who not. S. Hattes.

Appeales and Prouocations.

In ſuch caſes where heretofore any of the Queenes ſubiects oꝛ reſiants haue uſed to purſue, pꝛouoke, oꝛ pꝛocure any appeale to the Sea of Rome, and in all other caſes of Appeales, in oꝛ foꝛ any cauſes teſtamentarie, cauſes of Patrimonie, & diuorces, rights of Tithes, oblations and obuentions, they may and ſhall take, haue and uſe their appeales within this Realme and not els where, in maner and foꝛme enſuing, and not otherwiſe, that is to ſay, firſt from the Archdeacon oꝛ his Officiall, if the matter oꝛ cauſe be there begunne, to the Biſhop Dioceſan of the ſaid Sea, if in caſe any of the parties be greeued. 24. H. 8. 12. 1. Eliz. 1.

Appeales from the Archdeacon oꝛ his Officiall.

2 And if it be commenced befoꝛe the Biſhop Dioceſan oꝛ his Commiſſarie, from the Biſhop Dioceſan, oꝛ his Commiſſarie, within fifteene

Appeales from the Biſhop oꝛ his Commiſſarie
daies

Appeales and Prouocations.

daies next ensuing the iudgement or sentence thereof there giuen, to the Archbishop of the Prouince of Canterburie, if it be within his Prouince: And if it be within the Prouince of Yorke, then to the Archbishop of Yorke, and so likewise to all other Archbishops in other the Queenes Dominions, as the case by order of Iustice shall require, and there to be definitiuelly and finally decreed and adiudged according to Iustice, without any other appellation or prouocation to any other person or persons, Court or Courts, 24. H. 8. 12. 1. Eliz. 1.

Appeales from the Archdeacon of an Archbishop.

3 And if the matter or contention, for any of the causes aforesaid, be or shalbe commenced by any of the Queenes subiects or resiants, before the Archdeacon of any Archbishop or his Commissarie, then the partie griued shall or may take his Appeale within xv. daies next after sentence there giuen to the Court of the Arches or audience of the same Archbysshop, and from the said Court of the Arches or audience within xv. daies then next ensuing, after iudgement or Sentence there giuen to the Archbishop of the same Prouince, there to be definitiuelly and finally determined, without any other processe or appeale thereupon to be had or sued. 24. H. 8. 12. 1. Eliz. 1.

Causes commenced before an Archbishop.

4 Euery matter, cause and contention that shalbe commenced by any of the Queenes subiects or resiants, for any of the causes aforesaid, before any of the said Archbishops, shalbe before the same Archbishop, where the said matter cause or proces shalbe so commenled, definitiuelly determined, decreed, or adiudged, without any other Appeale, Prouocation or foraine Proces out of this Realme, to be sued, to the let, or derogation of the said iudgement &c. otherwise then is by this Act limited and appointed. Sauing alwaies the prerogative of the Archbishop and Church of Canterbury in all the foresaid cases of appeales to him, and to his successors, to be sued within this Realme, in such wise as they haue bene accustomed to haue heretofore. 24. H. 8. 12. 1. Eliz. 1.

The prerogative of the Archbishop of Canterburie.

Appeales from the Archbysshops Court into the Chancerie.

5 For lacke of Iustice at or in any the Courts of the Archbishops of this Realme, or in any the Queenes dominions, it shalbe lawfull to the parties griued, to appeale to the Queenes Maiestie in her Court of Chauncerie, and vpon euery such appeale, a Commission shalbe directed vnder the great Seale to such persons as shalbe named by the Queenes highnesse, her heires or successors (like as in case of appeale from the Admirals court) to heare and definitiuelly determine such appeales, and the causes concerning the same, which Commissioners so to be named or appointed shall haue full power to heare, and definitiuelly determine euery such appeale with the causes and all circumstances concerning the same. And such iudgement and sentence as the said Commissioners shall make and decree in and vpon any such appeale, shalbe good and effectuell and also definitiue, and no further appeales shalbe had or made from the said Commissioners for the same. An. 25. H. 8. 19. 1. Eliz. 1.

6 And in case any cause, matter or contention, for the causes before rehearsed, or any of them shall come in contention for any of the same causes, in any of the foresaid Courts, which hath, doth, shall or may touch the D. her heires or successors, Kings or Queenes of this Realme, then the partie griued shall or may appeale from anie of the said Courtes of this Realme, where the said matter shall happen to be ventilat, commenced or begun to the Spirituall Prelates of the Upper house assembled by the Queenes writ in the Conuocation being, or next ensuing within the Province or Provinces, where the same matter of cōtention shall be begun, so that euery such appeale be taken by the partie griued, within xii. daies next after the iudgement or sentence thereupon giuen. And whatsoever shall be done, affirmed, determined, decreed and adiudged by the foresaid Prelates of the vpper house of the said Conuocation, concerning or belonging to the D. her heires & successors in any of the foresaid causes of appeales, shall stand & be taken for a finall sentence, iudgement, & determination, & the same matter so determined neuer after shall come in question and debate to be examined in any other Court. 24. H. 8. 12. 1. El. 1.

Appeales in causes touching the Queene.

7 If it shall happen any person to pursue or prouoke any appeale contrary to the effect of this act, or refuse to obey, execute and obserue all things comprised within the same, concerning the said appeales, prouocations, & other fozeine proces to be sued out of this Realme, for any the causes aforesaid, then he, his procurors, fautors, aduocates, counsellors & abbettors, & euery of them shall incurre into the penalties ordeined in the statute of Premunire made 16. R. 2. & with like proces to be made against the said offenders as in the same statute appeareth. 24. H. 8. 12. 25. H. 8. 19. 1. El. 1. S. 25. H. 8. 19. that if any person prouoke or sue any maner of appeales of what nature or condition soeuer they be, to the Bishop or Sea of Rome, or do procure or execute any proces from the Sea of Rome, or by authoritie thereof, to the derogation or let of the due execution of the foresaid statute, then he, his counsellors &c. shall incurre into the penalties ordeined in the statute of Premunire, made 16. R. 2. But by the statute of 13. El. 2. the getting of any Bull, writing or instrument whatsoever from Rome, containing any matter or cause whatsoever, is high Treason. See Rome. 2.

Punishment of the offender.

S. Premunire. 5.

Appeales to Rome.

8 Euery such iudgement and sentence definitiue as shall be giuen, or pronounced in any ciuill and marine cause, vpon appeale lawfully to be made therein, to the Queene in her Court of Chauncerie by such Commissioners or Delegates as shall be appointed by her Maiestie, her heires or successors by Commission vnder the halfe seale, as it hath bene vsed in such cases, shall be finall, and no further appeale shall be had or made from the said iudgement or sentence definitiue, or from the said Commissioners or Delegates, for, or in the same. 8. El. 5.

Appeales in ciuill or marine causes.

1 That euery Ecclesiastical Iudge shall ayard costes to the other partie vpon

Appeales of Felonie.

vpon Appeale made in any suite for subtraction of Tythes or offerings.
See Tythes. 21.

Appeales of Felony.

In what places appeales shalbe pursued.

ALL Appeales of things committed within the Realme, shall be tried and determined by the Lawes of the Realme: And of things committed out of the Realme, before the Constable & Marshall of England. And no appeale shall be pursued in the Parliament, 1. H. 4. 14. But all Treasons, and misprision of Treason committed out of this Realme, shall be tried in the Kings Bench, or in such Countie of this Realme as the Queene by Commission shall assigne. 26. H. 8. 13. 35. H. 8. 2. 5. Ed. 6. 11. See Treason. 10.

Appeale of Murder.

2 If the Appellant in Appeale do declare the deede, the yere, the day, the houre, the time of the King, and the towne where the deede was done, and with what weapon he was slaine, the appeale shall stand in effect: And the Appeale shall not be abated for default of freshsuit, where a man doth sue within the yere and the day after the deede. Glo. 6. Ed. 1. 9.

Exigent in appeale against the principall and accessorie.

3 No person shall be outlawed by an appeale of commandement, force, aide, or receipt, untill the Principall be attainted. But the Appelloz shall not let to attach his appeale at the next Countie, as well against the Accessorie as against the Principall. But the exigent against the Accessory shall stay, untill the Principall be attainted by outlawry otherwise. West. 1. 3. Ed. 1. 14. And if any be appealed of an act done as Principal, they that be appealed as accessories shall be attached, and surely kept, untill the Principall be attainted, Officium Coronatoris. 3. Ed. 1.

Appeale of a woman.

4 None shall be taken or imprisoned by the appeale of any woman for the death of any other then of her husband. Magna Charta. 9. H. 3. 34.

The appeller being acquitted, the appellant & abettors shall be punished.

5 When any appealed of felony doth acquit himselfe in the Queenes court in due maner, at the suit of the appellant, or the D., the Iustices before whom the appeale shall be heard and determined, shall punish the appellant by a yeres imprisonment, and neuertheless such Appellant shall yeeld to the Appellee damages by the Iustices discretio, hauing respect to the imprisonment or arrest that the partie hath sustained by reason of such appeale, and to the slander which he hath receiued, and also he shall pay a grievous amercement to the Queene. And if the appelloz be not sufficient to answer damages, inquiry shall be made by whose abbetment the appeal was maliciously commenced, if the Appellee desire it. And if it be found by the same inquest, that any man is abbettoz through malice, he shall be distrained by a iudiciall writ at the Appellees suit, to appeare before the iustices, and if he be lawfully convicted of such abbetment by malice, he shall be imprisoned & restore damages, as is aforesaid of the Appellant. West. 2. 13. Ed. 1. 12. And any person indicted or appealed of felony or treason in a forreine countie, shall in an action vpon the case, recover treble damages against every procurer of such indictment or appeale, after

Procurers of appeale in a forreine Countie.

after he is duely acquitted by verdict, and like proces shall be in the same as in an action of Trespas vi & Armis. 8. H. 6. 10. See Coroners 7. 8.

1 Within what time and before whom an appeale of Murder shall be commenced. S. Murder. 4.

2 How the defendant in appeale of Maime shall bee vsed. See Coroners 8.

3 That appeale of Murder may bee commenced in one County of the death of any other person stricken or poysoned in another Countie. S. Triall 1.

4 In what case appeale of Murder may be commenced against a man arraigned at the Queenes suit. S. Murder. 3.

5 Appeale against any person dwelling in a forraine County. See Indictments 3. Trial 1.

Approuers.

Whosoeuer shall be appealed by any approuers remaining in the gaoles, which the Iustices of gaole deliuey shal deliuer, in what place soeuer of the realme the persons appealed shall remaine, immediately the sherife of that County where such persons appealed be conuersant or may be found, shalbe commaunded by the Queenes writs vnder the testimony of the same Iustices, that he shall take those persons appealed, and conuey them to the gaole where the approuers by whose appeale they be apprehended, be imprisoned, & the sherife or gaoloz of that prison shall receiue them, & there they shall answere before the same Iustices. And if they put themselves vpon the Countrey, the Iustices shall send by a Iudiciall writ to the Sherife of the county where the felony was committed, that he shall returne an Enquest before them at the place where the approuers do remaine. Stat de appellatis. 28. Ed. 1.

Appeales by Approuers.

1 That it is felony for a Gaoler to cause a prisoner to become an approuer. S. Prisoners 3. Felony 17.

Aproouements.

The Lords of wasts, woods and pastures (which haue enfeofed their freeholders of small tenements within their great maners) may approue of the same wastes, woods, and pastures, notwithstanding the contradiction of their tenants, so that the same tenants may haue sufficient pasture vnto their tenements with free ingresse and regresse to the same. Merton. 20. H. 3. 4.

Lords may approue against their tenants.

2 The foresaid statute provided betwixt the Lord and his tenants, shal take place betwixt the Lords of wastes, woods and pastures, and their neighbours, so that the Lords leauing sufficient pasture to their men and neighbours, may approue the residue. And this shall be obserued of them which claime pasture pertaining to their freehold. But if a man claime common

Lords may approue against their neighbours

Approuements.

Common in
grosse.

common of pasture by a special feoffment or graunt for a certaine number of cattell, or by any other meanes, then by common right) seeing couenant doth abrogate law) he shall recouer his owne according to the grant. *West. 2. 13. Ed. 1. 46.*

Approuement
leaving sufficient
common &
passage.

3 And if such tenants or neighbours doe bring an Assise of common of pasture, if it bee founde before the Iustices that they haue as much pasture as is sufficient for their tenements, and that they haue sufficient ingresse and regresse from their tenements vnto their said pasture, they shall holde themselves contented, and their Lords of whom they complained shall be quiet, and make their commoditie of the residue. But if it bee found that their ingresse and regresse were anie thing hindered by the deforceours, or that they had not sufficient pasture, then they shall recouer their seison by view of the Iuroys, so that by their discretion, and othe, they shall haue sufficient pasture, ingresse and regresse, and the disseisors shall be amerced, and render damages, *20. Hen. 3. 4. 13. Ed. 1. 46.*

4 By occasion of a Windmil, sheepe-house, Dairie, augmentation of a necessary Court, or Curtilage, no man shall be grieved by assise of comort of pasture. *West. 2. 13. Ed. 1. 46.*

Treble damages.

5 All such person and persons which shall bring Assise vpon any branch or article of any of the foresaid statutes, and haue iudgement to recouer, shall haue his or their damages trebled by the iudgment of the court, where such assise and iudgement shall be had. *3. Ed. 6. 3.*

Ditch or hedge
of ground ap-
proued thrown
downe.

6 If a ditch or hedge (made by any person that hath authoritie to approue,) be in the night or otherwise priuily thrown downe, and it cannot be knownen by the verdict of the assise or Iurie who did it, nor the inhabitantes of the next Townes will accuse them that bee guiltie, the Townes next thereabout adioyning shall be distrained to leuy the hedge or ditch at their owne charges, and also to render damage. *West. 2. 13. Ed. 1. 46.*

Houses with
grounds vnder
three acres.

7 The foresaid two statutes made *20. H. 3. and 13. Ed. 1.* nor any thing in any of them contained, shall extend to any houses with ground builden vpon commons or wast grounds (before *4. Nouemb. Anno 1549*) with ground vnder the quantity of three acres and not aboue, inclosed to & with the same. Nor to any garden, or chard, or pond inclosed before the said day, out of, or in such wasts or ground which exceed not the quantitie of two acres, nor shall cause any person to lose any penalty for the same. But if any such house hath bin before the said day builden vpon any such wast ground, and that there be aboue iii. acres inclosed to the same, then the said house and three acres parcel of the same inclosure shall still continue, and the ouerplus of the said three acres shall and may be laid open by the owner of the same wastes. *3. Ed. 6. 3.*

Gardens, Or-
chards, ponds.

1 That no person shall take in any commons or wast grounds with-
in

in three miles of London. See Cottages 9.

Archerie.

Euerie man being the Queens subiect not lame, decrepit, maimed, nor hauing any other lawfull or reasonable cause or impediment, being within the age of threescore yerres (except spirituall men, Iustices of the one bench and of the other, Iustices of assise, & Barons of the Exchequer) shall exercise shooting in long bowes, and also haue a Bowe and Arrowes continually in his house, to vse, & do vse himselfe in shooting, and euery father, ruler and gouernor, shall bring vp those which be in his house of tender age in knowledge of shooting. 33. H. 8. 9.

Post me with
in lx. yerres of
age shal shoote.

2 If any man suffer any man child being his sonne or man seruant taking wages, betwixt the age of vii. yerres, and xii. to remaine in his house without a Bowe and two arrowes, by the space of one moneth together, then the master or father shall forsaite for euery default vi. s. viii. d. If the said seruant take wages, the master may buy the said Bowe and Arrowes and abate him of his wages. 33. H. 8. 9.

Men children
betwixt vii.
yerres and xii.

3 If any seruant taking wages, and able to shoote, being betwixt the age of seuentene yerres and threescore, lacke a Bowe and foure Arrowes by the space of one moneth together, he shall forsaite for euery such default vi. s. viii. d. 33. H. 8. 9.

Men betwixt
xvii. & lx. yerres
of age.

4 If any vnder the age of xiiii. yerres shal shoote at any standing prick, except it be at a rouer, whereas he shall change his marke at euery shoote, he shal forsaite for euery shoote doing the contrary, iiii. d. 33. H. 8. 9.

Shooting at
rouers.

5 If any aboute the age of xiiii. yerres do shoote at any marke of xi. score yardes or vnder, with any prickshaft, or flight, he shal forsaite for euery shoote vi. s. viii. d. 33. H. 8. 9.

Shooting with
rouing shafts.

6 No stranger borne out of the Queens obeisance not being Denizen, shal conuey or do to be coueied, giue, sel, or exchange into any parts out of the Queenes obeisance, any long Bowes, Arrowes or shaftes, without the Queenes special licence, vpon paine of forsaiture of the same wheresoeuer they shalbe taken, or the value thereof within the Queenes power, & vpon paine of imprisonment without baile or mainprise, vntil such time as he so being in ward, hath made a reasonable fine to the Q. for his offence before the Iustices of peace, or two of them in their Sessions in the same Countie where he shalbe committed to ward, or find sufficient suerty for the payment of the same fine. 33. H. 8. 9.

Aliens shal not
conuey bowes
or shafts beyond
the Sea.

7 No person not being borne within the Queenes obeisance not made Denizen, shal vse within the Queens obeisance shooting with long bowes without the Queens licence, vpon paine of forsaiture of such Bowes, Arrowes & shaftes, as they shalbe found so shooting with. And euery of the Queens subiects may haue authority to take & seise the same forsaitures to his owne vse, 33. H. 8. 9. See Aliens 2.

No alien shal
vse shooting.

Armour.

**Bowyers and
Fletchers of
London being
comanded shall
dwel elsewhere.**

8 If any Bowyer, Fletcher, Stringer, or Arrowheadmaker, repairing to the Citie or Suburbes of London, and there making his dwelling and abiding, being not a free man of the said Citie, neither bearing scot nor lot within the same Citie, shall refuse to depart from the said Citie, Suburbes, streetes, lanes, and places neere the same, to go and inhabit such other Citie, borough or towne of the Realme of England, as is destitute of such artificers, and there to exercise his craft and facultie for the maintenance of Artillery, whensoever warning shalbe to him giuen by the Queens honorable Counsel, the Lord Chancelor of England, the Lord Treasurer, Lord priuy Seale, or one of them, then he so refusing shall forfait for euery day that he shall make his abode contrary, xl.s. 33. *H.* 8. 9. S. Iustices of peace. 63.

1 Who shall haue the forfeitures giuen by this statute, and within what time the suit must be commenced, and before whom, S. Plaies, 7. Actions popular 11.

Armour.

**Annuities, fees
copiholds, how
far charged.**

Annuities, fees or copiholds of estate of inheritance or for life, vnder xxx.li. shall not be charged, and being aboue xxx.li. shal be charged according to the rate of goods. But no man shalbe charged both for his lads and also for his goods, annuities. &c. 4. & 5. *H.* & *H.* 2.

**Armoz by rea-
son of the wines
apparel.**

2 Euery person tempozall (being of full age, and not in ward, whose lands amount to the yerely value of *CC.* li.) shall keepe a gelding meete for a light horseman, with sufficient harnessse and weapon for the same, whose wife (being not diuorced, nor willingly absenting her selfe from him) doth weare any gowne or peticote of silke, or any veluet in her kirtle or in the lining or other part of her gowne, (other then in the cusses or purses) or any french hood, or bonet of veluet, with an abilement, passe, or edge of golde, pearle, or stone, or any chaine of gold about her necke, or in her partlet, or any other her apparell, (except he bee charged by any other branch of this statute to keepe any horse, or gelding in such maner as euery tempozal person hauing lads &c. of the yerely value of *C.* marks, is by this Act charged to maintaine,) 33. *H.* 8. 5. 4. and 5. *H.* and *H.* See horses. 11.

Horses

¶ Horses or geldings, Demilaunces with Armour for them, where of the one halfe at the least shall be Horses with furniture.	Light Horses with their furniture of harneis & weapon.	Corselets furnished.	Almain rynges Plate Coates Brigandins or Corselets furnished.	Pikes.	Long Bowes	Sheafs of Arrowes.	Steele Caps or Sculs.	Blacks Billes or halberds.	Harquebuses.	Moriens or Sallets
1000.li. 6.	10	40	40	40	30	39	30	20	20	20
1000. marks. 4.	6	30	30	30	20	20	20	10	10	10
400. li. 2.	4	20	20	20	15	15	15		6	6
200. li. 1.	2	10	10	10	8	8	8		3	3
100.li.	2	3	3	3	3	3	3		2	2
100.mark.	1	2	2	2	2	2	2		1	1
40.li.		2	2	2	1	1	1		2	2
20.li.		1		1	1	1	1		1	1
10.li.			1		1	1	1		1	1
5.li.			1		1	1	1	1		
1000.mar. 1.02 18. Coxlets furnished.	1	2	2	2	4	4	4		3	3
400.li. 1.02 9 corselet.		1	2	1	2	2	2		1	
200.li.		1	2	1	2	2	2		1	1
100.li.		1	1	1	2	2	2			
40.li.			2		1	1	1	1		
20.li.			1		2	2	2	1		
10.li.					1	1	1	1		
10.li. the Horse 3.li. the Demi-launce & the furniture 3.li.	10. li. the gelding, 3. li. the furniture.	40. s.	20. s.		10. s.	10. s.	10. s.	10. s.	10. s.	10. s.

Every person contemporall shall keepe as which hath estate of inheritance or freehold in lands &c.

Goods.

Penalties for not having withyn 3. moneths for. to the M. & Intor. mer to be recovered by A. B. P. J. wherein no C. M. C. P. & C. 4. & 5 P. & P. 2.

3 The inhabitants of euery citie, borough, towne, parish, & hamlet within this realme, (other then such as are specially charged befoze in this act) shal haue, find, keepe, sustaine & maintain at their common charges & expences such harnes & weapon, & as much thereof, as shalbe appointed by the Comissioners of our soueraigne Lady the Queene, her heires and successors, for the musters or view of Armour, with what Armour townes shal be charged.

Armour.

within such Citie, borough &c. there to be kept in such place, as by the said Commissioners shalbe appointed. And the numbers and kindes thereof shall be witten in a paire of Indentures, to be made betweene the sayd Commissioners, or two of them at the least, & twelue, eight, or foure of the chiefest of euery such citie, borough, &c. wherof one part shal remaine with the chiefest officer of the same Citie, Borough &c. and the other with the Clerk of the peace of the shire or county, where such citie, borough, &c. shal stand or be. And if the inhabitants of euery such citie, borough, &c. other then such as are specially (as is aforesaid) charged, shall lacke or want such harnesse, or weapons, or any part thereof, as shalbe vnto them appointed by the said Commissioners for the musters, or view of armor (as is aforesaid) by the space of any 3. monthes together, next after any such appointment made, then the same inhabitants shall forfait for euery the said three moneths for euery such Harnesse or weapons so lacking, after the rate aboue limited to the Queene and Informer, to be recovered in any of the Queenes Courts of record, by B. P. A. or J. wherein no W. C. or P. &c. And the L. Chancelor of England for the time being, shall haue authority by vertue of this act, from time to time to graunt out Commissions vnder the great Seale, to the Iustices of peace within euery shire or County of this Realme, or to so many of them as by his discretion shall be thought conuenient, for the appointing and limiting of the said Harnesse and weapons, to be found, kept, and maintained in euery such citie, borough, &c. at the common charges of the inhabitants thereof, as is aforesaid. And the L. Chancelor of England, or keeper of the great Seale for the time being, shall & may from time to time by vertue of the Queens commission, name, assigne and appoint Commissioners in euery Citie, Borough and Towne corporat, wherein there be Iustices of the Peace, as well in England as in Wales, so many of the same Iustices of Peace with such and as many other persons to be ioined with them, dwelling out of the said Cities, Boroughs &c. as he or they shall thinke meete to take view of Armour in euery of the same Cities, Boroughs &c. according to this present Act, and also to assigne what Harnesse and Armour shalbe provided and kept by the inhabitants of euery such city, borough, and towne corporate (as is aforesaid) according to this present act. 4. and 5. P. & M. 2.

If the def. doe
plead that the
furniture can
not be gotten,

4 If any person aforesaid, being impeached for any forfaiture, for not hauing or keeping such furniture of Corlets, Pykes, Harquebuts, or Murrians as is aboue limited, doth plead that the same furniture coulde not be provided for want of the same within this Realme, the same matter of want & lacke shalbe allowed a good & sufficient answer & barre in the Lawe, if it be true: but if it be denied or trauersed, thereupon an issue shalbe ioined and tried onely by the certificate of the Lords Chancelour, Treasourer, President of the Counsell, Steward of the Queenes household, priuie seale, Admirall, and the Lord Chamberlaine of the Queenes household,

household, or thre of them in wryting vnder their Seales &c. 4. and 5. *Ph.* and *Mar.* 2.

5 If it shal fortune the furniture of armour aforesaid, or any part thereof to be lost or spent in any seruice of defence of this Realme, or else the Horses or Geldinges aforesaid to be killed or destroyed, or by some other occasion to be dead, then no person shalbe charged with any forfaiture aforesaid, for not hauing such quantity or number of Armour, horses or geldings as is aforesaid, so that he within one yere next after such losse, do supply the same againe in al points according to the true meaning of this act. But the want of any gauntlet or gauntlets, shal not be accompted for any lack of furniture for a Collet 4. & 5. *P.* & *M.* 2.

If the armour or horse be lost in seruice.

The want of a gauntlet

6 This Act shall not charge any person abiding within the countie of Northwales, Southwales, the Countie Palantine of Lancaster, or Cheshire, with the finding of any Harquebut: But euery of them may keepe in stead thereof one long Bowe and one sheafe of Arrows, besides such other Armour and Munition as is by the Lawes of this Realme appointed. 4. and 5. *P.* and *M.* 2.

Inhabitants in Wales, Lancashire, Cheshire.

7 If any person shalbe conuicted by vertue of this Act for any default mentioned in this act, he shal not eftsoones be troubled for the same. And no person shalbe impeached for any offence done contrary to this act, vnles presentment or suit thereof be made within one yere next after the offence done 4. & 5. *P.* & *M.* 2.

None shall be twice troubled for one offence.

Presentment within the yere

8 This act shall not discharge any tenant or fermor of his seruice or covenant toward his Lord, for the finding of Horse, Armour, or Weapon, for doing of seruice by himselve, or any other, which by the tenure of his land or farme he is bound to doe, at the time of the making of this act 4. & 5. *P.* & *M.* 2. *S.* Iustices of peace 25.

It doth not discharge other men seruice.

9 No man shall come befoze the Queenes Iustices or other officers in doing their offices, with force and armes, nor shall bring any force in affray of the peace, nor shall goe or ride armed by day or by night, nor weare sallet, scul of yron, or other armour, vpon paine to forfait to the Queene his armour, and his bodie to be imprisoned at the Queenes pleasure, except the Queenes seruants in her presence, and her officers in doing her precepts or their offices, or such as be in their companie assisting them, or vpon a crië made of armes to keepe the peace in such places where such thing happen. And the Queenes Iustices in their precincts, Sherifes and other Officers of the Queene within their bailiwikes, Lords of Franchises and their bailifes thereof, & Maiors and Bailifes of cities & boroughs within the same cities and boroughs, and boroughholders, Constables and Gardeins of the peace within their Wardes, haue power to put this statute of 2. *Ed.* 3. in execution. And the Iustices assigned, at their comming into the countrey, haue power to enquire how such Officers and Lordes haue vsed their offices in this case, and to punish those which they finde

No man shall come armed befoze the Iustices, nor goe or ride armed.

Armour.

haue not done that which belongeth to their offices. 2 Ed. 3. 3. No. 7. R.
2. 13, 20. R. 2. 1.

No seruant
shal weare any
sword, dagger,
&c.

IO No seruant in husbandry, or labourer, nor seruant of Artificer or vitaller, shall beare any Buckler, Dagger, or Sword, vpon paine of forfeiting the same (except it be for the defence of the Realme in the time of warre, and then by the suruey of Arraiors for the time being, or in traueiling with their Maisters, or on their maisters busines.) And Sherifes, Maiors, Bailifes, and Constables shall haue power to arrest, and shall arrest all offenders against this statute, and seise the said bucklers, swords and daggers, and keepe them til the Sessions of the Iustices of the peace, and the same shall present befoze the same Iustices in their Sessions together with the names of them that did beare the same. But this shall not be preiudicial to the franchises of Lords touching forfeitures due to them
12. R. 2. 6.

Imbelesing the
Queenes ordi-
nance, armour,
dictual &c.

II If any person or persons hauing at any time hereafter the charge or custodie of any Armour, ordinance, munition, shot, powder, or habiliments of warre of the Queenes Maiesties, her heires or successors, or of any vitalles provided for the victualing of any Souldiers, gunners, mariners, or pioners, shal for any lucre or gaine, or wittingly, aduisedly, and of purpose to hinder or impeach her Maiesties seruice, imbeastil, purloine or conuey away any the same armoz, ordinance, munition, shot, or powder, habiliments of war or vitalles, to the value of xx. s. at one or seuerall times, then euery such offence shall be iudged felony, and the offender and offenders therein to be tried, proceeded on, and suffer as in case of felony. But none shalbe impeached for any offence against this statute, vnesse the same impeachment be prosecuted or begun within the yere next after the offence done. And this act, nor any attainder or attainders of any person or persons, for any offence made felony by this act shall in any wise extend or be interpreted to make the offender or offenders, to forfe. any lands, tenements or hereditaments, any longer then onely during his or their life or liues, or to make any corruption of blood, to any the heire or heires of any such offender or offenders, or to make the wife of any such offender to loose or forfeit her dower or title of Dower, of, or in any landes, tenementes, or hereditaments, or her action or interest to the same, any thing in this act &c. notwithstanding. And such person or persons as shall be impeached for any offence made felony by this statute, shall by vertue of this Act, be receiued and admitted to make any lawfull prooffe that he can, by lawfull witnes or otherwise, for his discharge and defence in that behalfe: any law &c. notwithstanding. 3 1. Eliz. 4.

Within the
yere impeached

No losse of
lands nor cor-
ruption of
blood.

1 The remedy for the owner where a Souldier doth make away his Horse or Armour, See Captaines 1. 2.

2 That none in Wales shall come armed to any sessions, Church, Faire, Market, &c. See Wales 103.

Arrow-

Every Arrowhead and quarrel, shalbe marked with the marke of him that made the same. And if any that do make them, doe not well boyle or hrase and herden them at the point with Steele, he shall forfeit the same to the Queene, & shall be imprisoned, and make fine at the Queenes pleasure. 7. H. 4. 7. S. Corporations 10. Iustices of peace 55.

Arrowheads
marked, hrase-
d, boyled.

Arrests.

If any of the Queenes Officers or other person doe arrest any Priest, Clerke, or other which is doing any diuine seruice in the Church, Churchyard, or other place to that vse appointed, he shall be imprisoned and punished at the Queenes pleasure, and further shall recompence the partie arrested. But no people of the Church shall keepe them within the Church or Sanctuarie by fraud or collusion. 50. Ed. 3. 5. 1. Ric. 2. 15. See Preacher 1.

Arresting Pri-
nisters doing
diuine seruice.

2 If any men of great power or their Bailifes, or any other (except the Queenes Officers, vnto whom special authority is thereunto giuen) either vpon the plaint of others, or vpon their owne authority, do attache other passing with their goods through the place where they haue authority, to answer befoze them of contracts, couenants, or trespasses committed without their power & iurisdiction, whereas they hold nothing of the, nor within the Franchise where their authority is, he which offendeth shall answer to the party griened his double damages, and shall pay a grieuous amercement to the Queene West. 1. 3. Ed. 1. 34.

Arresting
within a liber-
tie those which
hold not of the.

1 Where the plaintife shall pay costes and damages for vnlawfull arrests, S. Damages 1. 2.

2 Where and by whom Nightwalkers shalbe arrested, S. Watch 1.

3 That all shalbe readie to arrest Felons and other great offenders. S. Felonie. 40. 41.

Artificers.

If any Butchers, Bakers, Bruers, Butlers, Cookes, Costermongers or Fruiterers shall conspire, couenant, promise, or take any othes, that they shall not sell their vittailles but at certaine prices: Or if any Artificers, Workemen, or Labourers do conspire, couenant, promise together, or make any othes that they shall not do their workes but at a certaine price or rate, or shall not take vpon them to finish that which another hath begun, or shall do but certaine work in a day, or shall not worke but at certaine houres and times: Then euery of them so offending being lawfully convicted thereof by witnesse, confession, or otherwise, shall forfeit for the first offence ten pounds to the Queene, and if he do not pay the same within five daies after conviction, he shall be imprisoned twentie daies, and haue onely bread and water for his sustenance. And for the second offence, shall forfeit xx. pound, or &c. suffer the punishment of the Whilore. And for the third offence &c. shall forfeit xl. pound, or &c. to sit on the Whilorie, lose

Vittailers con-
spire for the
selling of their
vittailles.

Labourers
conspire for
the order of
their worke.

lose one of his eares, and to be taken infamous, and neuer to be credited in matter of Iudgement. 2. Ed. 6. 15.

Conspiracie
made by a
company of
vitailers.

2 And if any such conspiracie, couenant, or promise be made by any company of any mistery of the vitailers aforesaid with the consent of the more part of them, then besides the particular punishment appointed for the offender, the corporation shall be dissolved to all intents. 2. Ed. 6. 15. S. Iustices of peace 56. Corporations 7.

1 For the retaining, departing, working, wages, and order of Artificers S. Labourers in all, and Iustices of peace 66. 67. 68.

2 What Artificers shall not be interpreted handicraftes men. See Aliens 13.

Assise.

Assise of Estouers,
wood,
Corodie.

A Man shall haue an Assise of Estouers, of wood, and of profit to be taken in Wood, Nuttes, Acornes, and other fruit to be gathered of a Corodie, of deliuering Corne and other vitailles and necessaries, to be receiued yerely in a place certaine, of Tolle, Tonnage, Passage, Pontage, Pawnage, and such like things to be taken in places certaine. And an Assise doth lye of the keeping of Woods, Forrestes, Parkes, Chases, Warrens, Gates, and other Bailiwikes, and offices in fee, and in all the foresaid cases the Writte shall be De liberotenemento. And as the Assise doth lye of Common of pasture, so doth it of common of Turbary, fishing, and such like, which a man hath belonging to his freehold, or without his freehold by speciall deed, at the least for terme of life. And also it lyeth against him which pastureth an other mans seuerall. Westm. 2. 13. Ed. 1. 25.

Tolle, Tonnage,
Passage,
Pontage,
Pawnage.

Assise of Offices.

Assise of common of
Turbary, Fishing.

Assise against
Gardein or tenant
for yerres
and their allies.

2 If tenant for terme of yerres, or gardein of any tenement doth alien the same in fee, whereby the freehold is transferred vnto the feoffee, the remedy is by Assise, and the alienor shall bee adiudged a disseisor, and so shall the feoffee, so that during the life of either of them, the same writ will lie. And if by the death of the foresaid persons, the said remedy doth faile, then there shall be redresse by a writ of Entry, Westm. 2. 13. Edw. 1. 25. And the heire shall haue his recovery immediatly by Assise against the gardein and tenant. And the gardein shall loose during his life the custodie of the same thing recovered, and of all the residue of the inheritance which he holdeth of the same heires. Westm. 1. 3. Ed. 1. 47. S. Wardes 8.

Assise by tenant
by Elegit, Statute,
recognition.

3 If tenant by Elegit be put out of the tenement, which he hath in execution, he shall haue an Assise 13. Ed. 1. 18. And so shall tenant by Statute Merchant, if he be put out, 13. Ed. 1. Mercat. And in like sort shall tenant by Statute Staple, if he be put out, 27. Ed. 3. 9. And also tenant by recognition in the nature of a Statute Staple, his executors, administrators, & assignes shall haue an Assise, if he they, or any of them be disseised, or put out of the lands in execution, 23. H. 8. 6. And Assise may be maintained by

by any person deforced, which hath estate of inheritance, freehold, &c. in, or to any Parsonage, Vicarage, Porcion, Pension, Tythes, Oblations, or other Ecclesiastical profit, made or to be made Tempozall for the recovery of the same, 32. H. 8. 7. And the Parson of a Church may recover common of pasture by Assise, 13. Ed. 1. 24. S. Execution 1. &c. Statutes 1. 12. Tithes 23.

A assise of a parsonage, vicarage, tythes.
A assise by a Parson.

4 If any Escheator, Sherife, or other of the Queenes Bailiffes, shall by colour of his Office, (without speciall warrant, commaundement, or certaine authority which belongeth to his Office) disseise any man of his freehold, or of any thing which belongeth to his freeholde, eyther the disseisee at his choise shall haue an Assise &c. and recover double damages, and the defendand shall be amerced: or else the Queene vpon the disseises complaint shall redresse the matter, 2. Clem. 1. 3. Ed. 1. 24.

A assise against an officer of the Queenes.

5 Where lands be graunted by the Queenes Patent, without any title found by inquest, or else where the Queenes Entry is not giuen by the law, they which be put out, or disseised of their freehold, shall haue an especial Assise of the Lord Chauncelors grant, without suit to the Queene: And if the parties to whom the Patents be graunted, do pray in ayd of the Queene, the Chaunceloz shall graunt a writ of Procedendo, without further suit to the Queene. And if they which be put out, or the disseises do recover against such Patentees, they shall recover their treble damages, 1. H. 4. 8.

A assise against the Queenes Patentee.

6 If any man in his owne right to his owne vse, or in an other mans right to his vse, doth make any forcible Entry into an other mans landes by way of maintenance, or doth take, or carry away any goodes of the possessor of the freehold after any such forcible Entry, then if the party griued, or other lawfull man will affirme, that the Entry was made in such forcible maner, the Chauncelour may graunt to the party griued a speciall Assise, and if the disseisor be attainted of such forcible disseisin, he shall be one yere imprisoned, and pay to the party griued his double damages, and also damages for his goods. And one of the Iustices of the one Bench, or the other, or the chiefe Baron of the Eschequer, (if he be learned in the law) shall be named in euery such speciall Assise: And no Superfedas shall be graunted to the contrary of such assise, 4. H. 4. 8. S. Force &c. 3. & 6.

A speciall assise against a disseisor with force.

7 Assise of rent issuing forth of tenements in seuerall Countie, shall be holden in the border of the same Countie, and the Assise shall be tried by people of the same Countie, in such maner as hath bin vsed of common of pasture being in one Countie; and appendant to tenements in an other County 7. Rich. 2. 10.

A assise of rent going forth of lands in seuerall Countie.

8 The panels of speciall Assises shall be arayed, and a copie indented thereof deliuered by the Sherife to the plaintifes, tenants or defendants, Copies of panel shall be deliuered to the parties.

dants, by the space of five daies at the least before the Session of the Iustices, if they will demaund it. And the Bailifes of Franchises shall make their returnes to the Sherifes of all such speciall assises five daies before, vpon pain of forfaiture xl. li. to the Queene by the said Sherife, or Bailife, for euery default, 6. H. 6. 2. 42. Ed. 3. 11.

The Sherife named a disseisor in assise.

Lord of auncient demesne, Bailleurs &c. named disseisors.

Default made to put the Bailleurs &c. from their iurisdiction.

A disseisor by failing of a record voucheth.

Certificat of Assise.

9 If in Assise brought before Iustices assigned, the Sherife be named a disseisor, to the intent that he shall not serue the writ, but to haue the same directed to the Coroners, the tenant may plead, that the Sherife neither is, nor euer was disseisor nor tenant of the tenements in demaund, but was named by collusion, which being found by the Assise, the Iustices shall abate the writ, and the plaintife shall be amerced, 11. H. 6. 2. And if Assise, or other writ of plea of land be brought against the Lord of auncient demesne, or against the Bailor, Bailifes, and Comminaltie of Franchises, or lands within the same Franchises, which be neither disseisors nor tenants, but therein named to take away their franchise, first the Iustices shall enquire by the Assise whether the Lord, Bailor, Bailifes, &c. be disseisors or tenants (if they require it) or be named by Collusion. And if it be found that they be neither disseisors nor tenants, but named by Collusion, then the writ shall be abated, and the plaintife amerced, notwithstanding the other tenants or disseisors be named or found in such Assises or writs, 9. H. 4. 5. And if assise or any personall action be sued of any lands within any franchise or auncient demesne, whereof the iurisdiction belongeth to the Lords, Bailleurs, Bailifes &c. if the defendant make default to put the said Lords, Bailleurs, &c. from their franchise, then the Iustices at the request of the Lords, Bailleurs, Bailifes &c. shall make enquiry by the assise &c. or by inquest &c. And if it be found that such defaults be made by Collusion to exclude the Lords, Bailleurs &c. of their franchises, cognisance or iurisdiction, the writs shall be abated, and the plaintifes amerced: And the plaintifes, Lords, Bailleurs, Bailifes &c. shall haue their challenges, 8. H. 6. 26.

10 If he which is named a disseisor doth personally alleage any false exception, whereby the taking of the Assise may be deferred, viz. that at another time assise of the said tenements passed betwixt the said parties, or that a writ of higher nature dependeth betwixt them of the same tenements, and doth vouch any Roules of Record to warranty, and at the day giuen, he faile of his warrant, he shall be adiudged a disseisor without recognisance of the Assise, and shall restore double damages of that which is or after shall be found, and also for his falsehood shall be one yere imprisoned. But if the said exception be alleaged by a Bailife, the taking of the Assise shall not therefore be deferred, nor iudgement vpon the restitution of the land and damages, yet if the Lord of the same Bailife which was absent, do after come before the Iustice which took the Assise, and doth offer to proue by record and roules, that Assise an other time

time passed betwixt the same parties of the same lands, or that the plaintife withdrew himselfe in a like suit, or that a plee dependeth betwixt them by a writ of higher nature, there shall be writ awarded to bring the record before the Justices, and when the Justices do see that the record would haue prevailed before iudgement, and that thereby the plaintife should haue bin excluded of his action, they shall immediatly warne the party, which first recovered to appeare at a day, at which day the defendant shall haue againe his seisin and damages, which he first payed, with the damages after the first iudgement giuen doubled, and he which first recovered shall be imprisoned at the Justices discretion. The like remedy shal the defendant haue against whom in his absence an Assise passed, which sheweth any deeds or releases, vpon the making whereof the Iurie was not, nor could be examined because there was no mencion of them in pleading, for the Justices vpon the sight of those writings shall award a Scire facias against the party which recovered to appeare at a day, and also shall cause the Iuroz of the same assise to come. And if they find those writings true, by verdict or inrolment, he shal be punished in forme aforesaid, which purchased Assise contrary to his owne deed, *West.* 2. 13. *Ed.* 1. 25.

II The Sherife shall not take an Oxe of him which is disseised, but of the disseisor onely: And if there be diuers disseisors named in one writ, yet he shal take but one Oxe, and he shall take an Oxe but of the price of v. s. or els the price, *West.* 2. 13. *Ed.* 1. 26.

Attachment in Assise.
An Oxe of v. s. price.

- 1 Where the plaintife in Assise may abridge his plaint. *S.* Abridg. 1.
 - 2 The remedy where the disseisor or disseisee dyeth immediatly after the disseison, or depending the suit. *S.* Age 1.
 - 3 Where the tenant in Assise may make Atturney. *S.* Atturney 3.
 - 4 That the Iurors in Assise are not compellable to say precisely that it is a disseison. *S.* Iurors 32.
 - 5 For the pleading of Iointenancy in Assise. *S.* Iointenancy 1.
 - 6 Where an Assise of common is maintainable. *S.* Approuements 3.
- Common 1.

Attaint.

Vpon euery vnttrue verdict giuen betwixt party and party in any suit, plaint, or demanda, before any Justices or Judges of record where the thing in demanda (and verdict thereupon giuen) extendeth to the value of xl. li. and concerneth not the ieopardy of mans life, the party grieved by the same verdict shall haue a writ of Attaint against euery person so giuing an vnttrue verdict, and euery of them, and against the partte which shall haue iudgement vpon the same verdict. And by the death of the partie, or any of the petit Iurie the said Attaint shall not abate, nor be differred against the remnant as long as two of the said petit Iurie be aliue. And euery one that shall passe in the same Attaint, shall haue lands

Attaint where the thing extendeth to xl. li.

Attaint abated not by the death of the def. or any of the petit Iurie.

What lands ech Iuroz must dispend.

Attaint.

and tenements to the value of xx. Markes by yere of freehold out of ancient demesne. 23. H. 8. 3.

Proces in Attaint.

2 In the same Attaint there shalbe awarded against the petit Jurie, the partie, and the graund Jurie, sommons, resommons, and distresse infinite, which graund Jurie shall be of like number as the graund Jurie is now &c. and vpon the distresse, which shall be deliuered of record vpon the same, open Proclamation shall be made in the Court where the distresse shalbe awarded, moze then xv. daies before the returne of the same distres, and euery such distresse shall be made vpon the land of euery of the said graund Jurie, as in other distresses is vled. And in all the foresaid proces, such day shall be giuen, as in a writ of dower, wherein no E. D. &c. 23. H. 8. 3.

Proclamation.

The graund Jurie taken by default of the defendant or petit Jurie.

3 If the defendant or the petit Jurors, or any of them appeare not vpon the distresse, then the graund Jurie shalbe taken against them and euery of them, that shall so make default. And if any of the said petit Jury appeare, then the party complainant shall assigne the false Serement of the first verdict vntreuely giuen, whereunto they of the petit Jury shall haue no answer if they be the same persons, and the writ, proces, returne and assignement good and lawfull, (except that the demaundant or plaintife in the same attaint hath before bin nonsuit or discontinued his suit of attaint taken for the same, or hath for the same verdict in a writ of Attaint had iudgement against the said petit Jury) but onely that they made true Serement, which issue shalbe tried by xiiii. of the said graund Jurie (for vclarie in a personall action, or cause, or excommungement pleaded in the plaintife or demaundant, is a void plea, whereunto he shall not be put to answer.) And the partie shall plead that they gaue true verdict, or any other matter, which shall be a sufficient Barre of the said attaint: And that plea notwithstanding the graund Jury shalbe taken without delay to enquire whether the first Jury gaue true verdict or no. 23. H. 8. 3. Stat de Attinētis. 13. Ed. 2.

What pleas the petit Jury may plead.

What plea the defendant in attaint shall plead.

The punishment of the petit Jurie attainted.

4 And if they finde that the said petit Jurie gaue an vntreue verdict, then euery of the said petit Jurie shall forfeit xx. li. whereof one halfe shall be to the Queene, and the other halfe to the partie that sueth, to be leued by Capias ad satisfaciendum, Fieri facias, or Elegit, or by action of debt against euery person of the petit Jurie so forfeiting, and against his executors and administrators, hauing then sufficient goods of their said testator not administred. And euery of the said petit Jury shall severally make fine by the discretion of the Iustices before whom the sayd false Serement shall be found after their severall offences, defaults, and sufficiency of euery of them. And those of the petit Jurie so attainted, shall neuer be after in any credence, nor their othes accepted in any part 23. H. 8. 3.

Judgement for the plaintife.

5 If such pleas, as the party pleadeth, which is a barre of the Attaint, be

he found or deemed against him, then the party that so sueth, shall haue iudgement to be restored to that he lost, with his reasonable costs and damages. 23. H. 8. 3.

6 If a false verdict be giuen in any action, suit, or demand before any Justice &c. of record, of any thing personall, as debt, trespassse, and other like, which shalbe vnder the value of xl. li. then the party griued shal haue Attaint with such proces, and pleas, & without delaies vt supra. And if the petit Jury be attainted, then euery of them shal forfait v. li. to the Queene and partie &c. and also make fine by the discretion of the Justices, and euery person that may dispend v. mark by yere of freehold out of auncient demesne, or is worth C. markes in goods, is able to passe in the same Attaint. 23. H. 8. 3.

Attaint of any thing personall vnder xl. li.

7 If there be not persons of such sufficiency within the Shire or place, where any of the said Attaints shalbe taken, as may passe in the same, then one Tales shalbe awarded, vnto the Shire next adioyning by the discretion of the Justices &c. which shall be warned to appeare vpon like paines &c. and enabled to passe in the said Attaints, as if they were dwelling in the Shire where that same shalbe taken. 23. H. 8. 3.

Tales into any other Shire.

8 If the party in Attaint giuen by this Act, be nonsuit, or discontinue the same, he shall make fine and ransome by the discretion of the Justices before whom the said Attaint shalbe taken and depending. And the iudgement of restitution to the party griued, suing this Act and execution of the same, shall be had, and like Iudgement for the defendant or tenant to be discharged of restitution, as in case of a graund Attaint hath bin vled 23. H. 8. 3.

Judgement for the defendant wher the plaintife is nonsuit, or both discontinue.

9 All Attaints shall be taken before the Queene in her Bench, or before the Justices of the Common place, & in none other Courts. And Nisi prius shalbe graunted by discretion of the Justices vpon the distresse. And euery of the said petit Jury, may appeare and answere by Attorney in the said Attaint. 23. H. 8. 3. 13. Eliz. 25.

Attaints taken in the Kings Bench, Common place, and by Nisi prius. Attorney in Attaint.

10 If there be diuers plaintifes or demandants in an attaint, the nonsuit or releas of any of them, shall not be prejudiciall to the residue, but they and euery of them in such cases may be summoned and seuered, like as it is vled, when there be diuers demandants in actions reall, 23. H. 8. 3. 13. Eliz. 25.

Summons and seuerance in Attaint.

11 The same lawes, actions, and remedy, ordeined by this Act, shall be kept, for and to all them that be griued by such vnttrue verdicts of any inheritance in discent, reuerfion, remainder, or of any freehold in reuerfion or remainder. 23. Hen. 8. 3. 13. Eliz. 25. 15. H. 6. 5. If tenant for terme of life, in dower, or by the curtesie, or in taile after possibility of issue extinct, be impleaded, plead to Enquest, and lose by verdict, default, or in other maner, he to whom the reuerfion of the same lads be at the time of the iudgement, his heires or successors, shall haue a writ of Attaint, to attaint

Attaints of inheritance.

He in the reuerfion may haue attaint of a verdict giuen against the particular tenant.

Attaint.

attaint the Jury, if he will assigne the false Serement, as well in the life of the said tenants as after their death, 9. R. 2. 3. S. Error 1.

In what cases
attaint wil lye.

12 A writ of Attaint shalbe graunted, as well in plea of land of freehold, or any thing touching freehold, as in plea personall. 3. Ed. 1. 37. 34. Ed. 3. 7. And as well vpon the principall, as vpon the damages in an action of trespassse. And in this and in all other cases, the Justices shall not let to take the Attaint for the damages not paid, 1. Ed. 3. 6. And Attaint shall be graunted in pleas of Trespassse pursued as well by bill as by writ before Justices of Record. 5. Ed. 3. 7. 28. Ed. 3. 8. Nisi prius shall be graunted in Attaint, but neither Essoigne of the Queenes seruice, nor protection shall be allowed therein. And five daies in the yere shall be giuen before the Justices of the common Bench in the said Iuries at the least. 5. Ed. 3. 7. The partie griued by any false verdict giuen in any action, suit, auowry, prescription, title or claime, made according to the Statute provided for the limitation of prescription, may haue an Attaint. 32. Hen. 8. 2.

Attaint sued
by bill in the
Hustings of
London.

13 The partie griued by any false verdict giuen in any of the Courts of the Citie of London, shall and may sue Attaint by bill in the Hustings of London, holden for common pleas before the Maioz and Aldermen of the same Citie, and thereupon a Wrecept shall be awarded by the same Maioz to euery Alderman of the said Citie, or his deputie in his absence, to certifie the names of fower indifferent and discrete persons of good fame, and euery of them of substance of a C. li. or more, Citizens of the same City, dwelling in his Ward, to the Maioz and Aldermen of the said Citie at the Hustings then next ensuing, of which persons so certified, the said Maioz and sixe Aldermen or mo, holding the same Court of Hustings, shall impanell xlviii. persons, and the Maioz shall cause to bee summoned the said xlviii. and also the Iuroz of the petit Iurie, and the tenants or defendants in the said bill of Attaint, to appeare before the Maioz and Aldermen in the same Citie, at the Hustings of common pleas then next to be holden in the same Citie. And if the same Attaint happen to remaine vntaken by default of Iuroz by challenge or otherwise, vpon euery Tales graunted, the said Maioz and Aldermen shall impanell the said persons which were certified by the said Aldermen, or their deputies, and omitted out of the said panell, or put therein other persons being Citizens of the said Citie, and of the substance of C. li. or more. 11. Hen. 7. 21.

Who be suffici-
ent to passe
vpon attaint
in London.

14 None of the petit Iurie, ne other parties named in any such bill of Attaint shall haue any challenge to the Array, or to any person being impanelled for lacke of sufficient goods or lands. 11. H. 7. 21. And euery person being a Citizen of the citie of London, & worth in goods CCC. Markes, may be impanelled by the Sherifes of London in euery Attaint brought by writ, by vertue of the aforesaid Statute of 23. H. 8. vpon any

verdict

verdict giuen by the Citizens without any challenge for insufficiencie of freehold of any of them. 37. H. 8. 5.

15 All the pleas pleaded for the tenant or defendant, or by any of the Jurors of the petit Jurie in the same Attaint, and triable by any Jurie, shall be tried within the same Citie, and by the Enquestes of the same, and in none other place ne countie. 11. H. 7. 21. And the Justices vpon Attaint sued by writ according to the foresaid statute of 32. H. 8. vpon any verdict giuen by the Citizens of London, shall sit onely at the Guild hall of the same Citie, or at some other place within the same Citie, & there sweare the graund Jurie, and take the verdicts. And the Citizens shall not be compelled to appeare in any such Attaint taken vpon any vnttrue verdict giuen in London, but onely wythin the limits of the said Citie. 37. H. 8. 5.

Pleas of Attaint commenced in London, shall be tried in London.

16 If the graund Jurie swozne in the same Attaint, find that the petit Jurie haue giuen an vnttrue verdict, then the iudgement shall be giuen against the defendant as is vsed in Attaint sued by writ at the common Law. And the iudgement shall be against the petit Jurie, that euery of them shall lose xx.li. or moze, by the discretion of the Maior and Aldermen of the said Citie, keeping the Hustings, to such vse as other issues and penalties bin forfeited in any action or plaint commenced befoze the Maior and Aldermen &c. and his bodie to be imprisoned, there to remain without baile or mainprise sixe monethes, or lesse, by the discretion of the Maior and Aldermen &c. and to be disabled for euer to be swozne in any Jurie befoze any temporall Iudge. But the iudgement in such Attaint shall not extend to any lands or tenements, ne to other punishment of the petit Jurie. 11. H. 7. 21.

The Iudgement where the petit Jurie in London is attainted.

The iudgement where the first verdict is affirmed.

17 If it be found by the graund Jurie, that the petit Jurie haue giuen a true verdict, then the graund Jurie shall haue authoritie to enquire if any of the petit Jurie receiued any summe of money, or other reward or promise of money, or other reward, of the named defendants or tenants in the same Attaint, or of any other person, by the commandement, couin, or assent of any of them, for the intent of their verdict giuing, whereupon the same Attaint is grounded, and after any such corruption by the said graund Jurie found, then the Iuroz that is so found defectiue in taking &c. shall pay to the plaintife named in the same Attaint ten times the value of the summe, or other reward so taken, or promised, and shall suffer imprisonment without baile or mainprise sixe monethes, or lesse, by the discretion of the said Maior and Aldermen, and shall be disabled for euer, to be swozne in any Jurie, befoze any temporall Iudge. And such defendant or tenant in the same Attaint, shall pay to such vse as other penalties bin forfeited wythin the same Citie, ten times the value of the summe of money, or other reward, by him so giuen to any of the said petit Jurie, and shall be imprisoned without bail, or mainprise, during sixe monethes, or lesse,

Inquire of the taking of rewards.

Attaint.

or lesse, by the discretion of the said Maior and Aldermen. 11. H. 7. 21.
See Iurors 5.

Re medie for
the debts and
damages re-
covered in the
first action.

18. If any debts and damages or costes be recovered in any action whereupon such Attaint is grounded, and by the same Attaint it be found that the petit Jurie hath given a false Serement, then for the recovery and restitution of the same debt, damages, and costes, the plaintife in euery Attaint shall and may sue an Action of debt against the same defendant or tenant, by writ, bill, or plaint &c. wherein no *W. &c.* 11. H. 7. 21.

If the plain-
tife be nonsuit,
or the first ver-
dict affirmed.

19. If any plaintife in any such Attaint be nonsuit, or if the first Serement therein be affirmed, then he shall haue imprisonment, and make fine by the discretion of the Maior and Aldermen &c. and that fine shall be to the Maior and Comminaltie of the said Citie. 11. H. 7. 21.

The Attaint
shall not abate,
though one of
the plaintifes
dye, or be non-
sult.

20. If there be two or mo plaintifes in any such Attaint, and any of them die, or be nonsuit, the other shal be enabled to sue for the proceeding in the same Attaint: and notwithstanding the death of the defendant or tenant, or any of the petit Jurie named in the same Attaint, so that there be two of the same petit Jurie on liue, the Attaint shall not abate. 11. H. 7. 21.

Attaint per me-
diatam lingua.

21. Upon all Attaints commenced within the Citie of London vpon any record, wherein the triall and Enquest was by halfe tongue, the Maior and Aldermen shall impanell the graund Jurie, the one halfe of Strangers, of good name, of goods to the value of a *l. li.* and moze, inhabiting within the same Citie at large, and the residue of Citizens of the same value. 11. H. 7. 21.

Libertie vpon
whether Sta-
tute the partie
will sue attaint.

22. It is at the libertie of all persons, vpon an vntrue verdict giuen in any Courts of the Citie of London, to sue their Attaint vpon the Statute made 23. H. 8. or els vpon the Statute made 11. H. 7. at their owne pleasure. 23. H. 8. 3.

1. What challenge is allowable in Attaint sued by bill or writ in London. See Challenge 1. 2. 3. 4.

2. What issues euery Iuror shall forfait, which appeareth not in Attaint. See Iurors 27.

3. Attaint by an heire within age vpon a verdict past against him. See Age 1.

Attorney.

Suit of Court

Every Freeman which oweth suit to the Countie, Tything, Hundred, and Wapentake, or to his Lords Court, may freely make his Atturney to doe those suits for him, Merton. 20. H. 3. 10.

A generall
Atturney.

2. Euery man which feareth to be impleaded before the Iustices of the Kings Bench, Common place, Iustices in Eire, or of Assises, or in any Countie before the Shirife, or in any Court Baron, may make a generall Atturney to pursue for him in the foresaid causes to be sued by

him, or against him, which Attorney hath power to proceede in the same suits, untill they be ended, or that his Master doth remoue him, West. 2. 13. Ed. 1. 10.

3 The tenants in Assise of Nouel disseisin, may make Attorneys if Assise they will, and also they may plead by Bailifes, Stat. Eborum. And after the tenant hath appeared in Assise, Attaint, or Iuris vtum, he cannot be essoined, but may make Attorney for him, Westm 1. 3. Ed. 1. 41.

4 Euery of the petit Iurie in Attaint may appeare and answer by Attaint. Attorney in the same Attaint. 23. H. 8. 3. 13. Eliz. 25.

5 The appellat in any appeal of murder, or death of man, where bat- Appeal. tell by the course of the common Law lyeth not, may make his Attorney, and appeare by the same in the said appeal after it is commenced, to the end and execution of the same. 3. H. 7. 1.

6 The defendants may make Attorneys in such suites where appeal lyeth not, so that if they be attainted, in their absence the Shirife shall be commaunded to take them, and then they shall receiue the punishment that they should haue had, if they had bin present when the iudgement was giuen, Gloucester. 6. Ed. 1. 8. Sutes wherein Appeal lyeth not.

7 No Undershirife, Shirifes clarke, Shirifes receiuer, or Baylife, shall be Attorney in any of the Queenes Courts for the time he is in office with any such Shirife. 1. H. 5. 4. Shirifes officers shall not be Attorneys.

8 No Steward, Bailife, or officer of any Lord of a Franchise, which hath retourne of writs, shall be Attorney in any plea within the same franchise. 4. H. 4. 19. These officers shall not be Attorneys.

9 If any Baron of the Erchequer, or Justice, or any of their Clarkes or Officers, shall receiue any Attorneys but onely in the pleas and suites depending before them and their fellowes, and in the Courts where they are assigned, the same admission is void, Carloile. 15. Ed. 2. None shall receive attorneys but in suits depending before him.

10 Euery Justice of the one Bench and the other, and also the chiefe Baron of the Erchequer, haue authoritie to examine outlawed persons which be sicke of any disease openly knowen, and to record Attorneys for them: But in a writ of Capias ad satisfaciendum the common Law holdeth place. 7. H. 4. 13. Attorneys for outlawed persons diseased.

11 If any Attorney be openly found in default by record or otherwise, he shal forswear the Court, & neuer after be allowed to prosecute any suit in any of the D. courts. And euery Attorney shalbe sworn truly to serue in their offices, & specially to make no suit in any forein county. 4. H. 4. 18. The punishment of Attorneys found in default.

12 In all suits wherein proces of Capias and Exigent lyeth, if the Attorney haue not his warrant of record, the same terme that the Exigent is awarded, he shall lose pl. s. to the Queene, if he be attainted thereof by examination of Iustices. 18. H. 6. 9. Attorneys oath.

13 Euery such person which shall be Attorney for any other person or persons being demaundant or plaintife, tenant or defendant, in any action When the Attorney shall enter his warrant,

Attorney.

action or suit commenced in any of the Ducenes Courts of Record at Westminster, and plead to an issue in the same, shall deliver, or cause to be delivered his lawfull warrant of Attorney to be entered of record for every of the said actions or suits wherein he is named Attorney, to the officer or his deputy or deined for the receipt or entering thereof in the same terme, when the said issue is entered of record in the said Court, or before, upon paine of forfaiting x. li. for every default for not delivering of the said warrant: The one moitie to the D. &c. the other to such officer to whom, or in whose office the same warrant should be delivered &c. to be recovered by A. B. J. &c. wherein no W. &c. E. or P. &c. And also further shall suffer such imprisonment, as by the discretion of the Justices of the court (where any such default shalbe made) shall be thought convenient. 32. H. 8. 30. 2. Ed. 6. 22. 18. Eliz. 13.

Attorneys in
Norfolke,
Suffolke,
& Norwich.

14 There shall be but sixe common Attorneys in the County of Norfolke, and sixe in the Countie of Suffolke, and two in the Citie of Norwich, to be Attorneys in Courts of Record, and all the said xiiii. Attorneys shall be elected & admitted by the two Chiefe Justices for the time being, of the most sufficient and best instructed by their discretions. And the election and admission of all Attorneys by the said Justices aboue the said number in the said Counties, shall be void. And if any person usurpe, or presume to be Attorney in Courts of Record in the said Counties or Citie, otherwise then before is specified, and that found by Inquisition, taken before the Justices of peace in the said Citie or Counties, (which haue power to inquire thereof in their Sessions) or in any other maner lawfully proued, then he that so presumeth (if he be thereof lawfully convicted) shall forfe. xx. li. to the Queene and J. &c. as often as he is so convicted, to be recovered by any that will sue by action of debt. 33 H. 6. 7.

Quære.

In the same Statute it is prouided, that the said ordinance should begin, and first take effect at the feast of Easter then next comming, and not before, if the same ordinance seeme reasonable to the Iustices. Quære whether the whole force and essence of this Statute did depend vpon the Iustices determination or onely the time of the beginning thereof.

The defendant
in suites vpon
penall statutes
may appeare
by Attorney.

15 As any person or persons shall be sued or informed against, vpon any penall Law in any of the Courts of the Kings Bench, Common pleas, or Eschequer, where such person or persons are baylable by law, or where by the leaue or forme of the Court such person or persons may appeare by Attorney, in all and every such cause the person or persons so to be impleaded shall and may at the day and time conteyned in the first proces serued for his apparance appeare by Attorney of the same Court where the proces is retournable, to answer and defend the same, and not be byged to personall apparance, or to put in baile for the answering of such suite: any former law &c. notwithstanding. 29. Eliz. 5. The same branch of the said Act shall extend, and shalbe interpreted to extend onely to

to the naturall subiects bozne, or to be bozne within the dominions of the Queenes Maiestie her heires and succellozs, and to persons made free Denizens, and to no others: any thing therein contained &c. notwithstanding. 31. Eliz. 10.

Auditour and Receiuer.

Every of the Queenes Auditours of the Erchequer, Duchie of Lancaster, and Court of Wardes and Liveries, shall yeerely proclaime and declare in every Countie within their severall limits, in three or fower Market Townes, or other places, by the space of twentie dayes befoze their audit, when and where they will keepe their audits in the same Shire, or they shall forfait five poundes for every offence to the Queene and A. to be recovered by A. J. &c. wherein no W. &c. E. or P. &c. 33. H. 8. 39. See Accompt to the Queene 12.

The Audit shall be proclaimed.

2 If any Auditour of the Erchequer, Duchy of Lancaster or Court of Wardes and Liveries, or any of his Clarkes, or other to their or any of their vse, shall take for the inrolment of any Letters patents, decrees of the same Courts, graunts, or indentures of leases, or for the allowance of the same, above iii. s. iii. d. he so offending shall forfait vi. s. viii. d. for every peny which he taketh above the foresaid summe, to the Queene and the Informer &c. to be recovered by A. J. &c. wherein no W. &c. E. or P. &c. And if any person do offer to any such Auditour any such letters Patents, decrees, leases &c. to be inrolled, he shall inroll the same, or as much thereof as shall appertaine to his office. 33. H. 8. 39.

Auditours fees for inrolment.

3 Every Receiuer of the Erchequer, Duchie of Lancaster & Court of Wardes and Liveries, which shall pay to any person an annuitie, pension, or other rent, shall (if the same person vpon the receipt thereof will deliver unto him a sufficient acquittance, sealed and signed, testifying the same receipt) receive the same, without taking any reward therefoze, vpon paine to forfait for every peny or peny worth receyved vi. s. viii. d. And if the partie do not deliver such a sufficient acquittance, but that the Receiuer, or his Clarke doth make the same, he shall have therefoze iii. d. and if he take above iii. d. he shall forfait for every peny or peny worth so taken vi. s. viii. d. And if any Treasorer, Receiuer, or minister accountant, or their deputies which shall pay to any person any fee, annuitie, pension, duitie, warrant, or rent, do reteine, receive, or take of the partie, to whom he shall pay the same, in way of reward, or otherwise, above iii. d. for every pound that he shal pay, he shall forfait vi. s. viii. d. for every peny or peny worth which he shall receive ouer, to the partie grieved, to be recovered by A. B. or P. wherein no W. &c. E. or P. &c. 33. H. 8. 39. 7. Ed. 6. 1. S. Accomptants &c. to the Queene.

What fees every Receiuer shall take.

1 That the Queenes Receiuers shall enter into bond with sureties to accompt and pay such money as they may lawfully be charged with. See Accomptants to the Queene 10.

Auowrie.

2 For the Queenes Auditors and Receiuers precepts to Bailifes acc^o comptants. S. Accompt &c. 11. 12.

3 At what time the Queenes Receiuers shall accompt, and when they shall make payment. S. Accompt &c. 16. 17. 18.

4 When Auditors may commit accomptants to prison. S. Accompt 2.

Auowrie.

Auowry vpon
the land with-
out naming
any person.

Wheresoeuer any manors, lands, tenements, and other hereditaments be holden by any person or persons by rents, customes, or seruices, if the Lord of whom any such manors, lands, tenements, or hereditaments be so holden, distraine vpon the same lands, for any such rents, customes, or seruices, and repleuin thereof be sued, the Lord of whom the same lands, &c. be so holden may auow, or his bailife or seruant make conusance, or iustifie for taking the said distresse vpon the same lands, tenements, or hereditaments so holden, as in lands &c. within his fee or seignioy, alleaging in the said auowrie, conusance, and iustification, the same lands &c. to be holden of him without naming of any person certaine to be tenant of the same, and without making any auowrie, iustification, or conusance vpon any person certaine. And likewise the Lord, bailife, or seruant shall make auowrie, iustification, or conusance in like manner and forme, vpon euery writ sued of Second deliuerance. 21. H. 8. 19.

Auowry vpon
the land in
Second deli-
uerance.

Auowant shall
reouer costes
and damages
against the
plaintife.

2 Euery Auowant, and other person, that make any such auowrie, iustification, or conusance as bailife or seruant to any person in any Replegiare or Second deliuerance for rents, customes, seruices, or for damage fesant, or other rents vpon any distresse taken in any lands, or tenements, if the same auowrie, iustification, or conusance be found for them, or the plaintife in the same be nonsuit, or otherwise barred, then they shall reouer their dammages and costes against the said plaintifes, as the same plaintifes should haue done if they had recovered therein against the said defendants. 21. H. 8. 19. See Damgages 8.

Such pleas &
ayde prayer,
as was at the
common law.

3 The said plaintifes and defendants in the said writs of Replegiare and Second deliuerance, and in euery of them, shall haue like pleas, and like ayde prayer in all such auowries, conusances, and iustifications, (pleas of Disclaimer onely except) as they might haue had before the making of this Act, as though the said auowrie, conusance, or iustification had bin made after the due order of the common Law. 21. H. 8. 19.

Ioyning in
ayde.

4 All such persons as by the order of the common Law may lawfully ioyne to the plaintifes or defendants in the said writs of Replegiare or Second deliuerance, as well without proces, as by proces, shall ioyne vnto the said plaintifes or defendants as well without proces, as by proces, and haue like pleas, and like aduantage in all thinges (Disclaimer onely except) as they might haue done by the order of the common Law before the

the making of this Act. 21. H. 8. 19. See Repleuin.

AUOWRIE for Rents after the estates in the same rents be determined.
See Rents 1. 2. 3.

Aduowson.

WHereas for Aduowsons of Churches there be but three original *Usurpation during part- culer estates.* wits: that is to say, one writ of Right, and two of possession, which be Darreine presentment, and Quare impedit, and hitherto it hath bin vsed in the Realme, that when any hauing no right to present, had presented to any Church whose Clerke was admitted, he that was verie patron could not recouer his Aduowson, but onely by a writ of Right, which should be tried by Battaille, or by great Assise, whereby heires within age, either by fraud, or els by negligence of their wardeins, and heires both of great and mean estate, either by negligence, or els by fraud of tenants by the curtesie, tenants in dower, or otherwise for terme of life, or for yeeres, or in fee taile, were many times disherited of their Aduowsons, or at the least (which was the better for them) were diuen to their writ of Right, in which case hitherto they were wythout remedy: It is provided, that such presentments shall not be preiudiciall to the right heires, or to them vnto whom such Aduowsons ought to reuert after the death of other persons: for as often as any hauing no right doth present vnto a Church during the wardship of any heire wythin age, or during the interest of tenant by the curtesie, in dower, tenant for terme life, or yeeres, or tenant in taile, by the fraud or negligence of the wardein of the same heire, or of any of the aforesaid tenants, the same presentation shall not be so preiudiciall to the same heire, or to him to whom the reuerfion shall come after the death of any of the aforesaid tenants, but that after the heire shall come to his full age, or the Church become voide after the death of any of the aforesaid tenants, he to whom the same belongeth shal haue the same action and recouerie by possessarie writ to recouer the Aduowson, as the last auncestor of such heire being of full age in the last auoydance falling befoze his death, or befoze the demise was made for a terme, or in taile, should haue had. And the like remedy is to be had of presentations made to Churches of the inheritance of wiues, during their couerture. Also Bishops, Archdeacons, Parsons of Churches, and other Ecclesiasticall persons shall haue remedie by this Statute, if any man hauing no right do present vnto Churches belonging to their Spirituall dignities or Parsonages during the vacation of such dignities, parsonages &c. Westminster 2. 13. Ed. 1. 5.

2 But this Statute shall not be vnderstand so largely, that the foresaid persons for whose remedy it was ordained, shall haue their recouerie by surmising that the said wardeins or tenants did fainedly defend the suit moued by, or against them: for iudgements giuen in the *Judgements giuen shall be auoyded by lawful means, and not by surmises,*

Aduowson.

Queenes Court shall not be admylled untill they be defeated by Errour, Attaint, or certificat, which shall be freely graunted, Westminster 2. 13. Ed. 1. 5.

Remedy for a disturbance after a particular estate ended.

3 If it happen after the death of the auncestor which presented, that the same Aduowson be assigned in dower, or holden by the curtesie, and those tenants present, and after their death the right heire be disturbed to present, it is in his election, where he will haue a Quare impedit, or Assise of Darreine presentment: And in like sort it is of Aduowson demised for terme of life, yeeres, or in taile, Westminster 2. 13. Ed. 1. 5.

The recoverer shall haue a Quare impedit of the Aduowson.

4 If a man do suffer a recouerie of a Manor whereunto an Aduowson is appendant, he that doth recouer the same, shall haue a Quare impedit vpon a disturbance, as he, against whom the recouerie was, might haue had. 7. H. 8. 4.

Presentation by compulsion.

5 If there be agreement made betwixt severall persons which do clayme the Aduowson of a Church, and inrolled before the Iustices, or by a fine, in this maner, that the one shall first present, and at the next auoydance an other, and at the third, a third, and so further, and when one hath presented for his turne, according to the agreement, and at the next auoydance he to whom the second presentation belongeth, is disturbed by any that was partie vnto the agreement, or some other in his steade, he that is disturbed shall not neede to sue a Quare impedit, but shall haue recourse to the Roll or fine, and if the agreement be there found, he shall haue a Scire facias to warne the disturber to appeare within xv. dayes, or threeweekes, according to the distance of the place, to shew if he haue any thing to say why the partie disturbed should not recouer his presentation. And if he appeare not, or do appeare and can say nothing why the partie disturbed should not recouer his presentation by reason of any deede after the agreement made or enrolled, or the fine, he shall recouer his presentation wyth his damages, Westminster 2. 13. Ed. 1. 5.

Usurpation by Parceners.

6 When an Aduowson descendeth vnto Parceners, though one present twise, and vsurpeth vpon his coheire, yet he that was negligent shall not be cleerely barred, but an other time shall haue his turne to present when it falleth, Westminster 2. 13. Ed. 1. 5.

Plenartie of the Defendants presentment.

7 If the defendant do except in Assise of Darrein presentment, or Quare impedit, that the Church is full of his owne presentation, the suite shall not remaine by reason of that plenartie, so that the writ be purchased within sixe monethes, though he can not recouer his presentation within sixe monethes, Westminster 2. 13. Ed. 1. 5.

Damages in Quare imp. or in Assise of Darrein presentment.

8 Damages shall be awarded for two yeeres value of the Church, in a Quare impedit, & Darrein presentment, if six moneths do passe by any mans disturbance, so that the Bishop do conferre, and the very patron doth lose his

his presentation for that time, and if the disturber haue not wherewith to restore damages, he shalbe two yeeres imprisoned. If the sixe moneths be not past, but the Aduowson is recovered within that time, then damages shalbe awarded to halfe a yeeres value of the Church, & the disturber shalbe halfe a yeere imprisoned. West. 2. 13. Ed. 1. 5. See Prerogative 9.

9 When the Parson of any Church is disturbed to demanda tithes in the next parish by a writ of Inducavit, the Patron of y^e Parson so disturbed shall haue a writ to demand the Aduowson of the tithes in question. And when it is disproued, the suit shall so farre forth proceed in the Spirituall court, as it was disproued in the Queenes Court, Westm. 2. 13. Ed. 1. 5. S. there that writs will lie of Chappels, Prebends, Vicarages, Hospitals, Abbeyes, Priories, and other houses, which be of other mens Aduowsons.

Badger, Lader, Carier, Drouer.

If any license shal be made to any Badger, Lader, Kidder, or Carier of cozne, Drouer of cattell, buyer or transporter of cozne & graine, butter or cheese, otherwise then in the generall & open Quarter Sessions of the peace holden in the Shire where the partie admitted, assigned or allowed, doth, & by the space of thre yeeres befoze the Teste of his license, hath dwelled, or other then to such person as is, or hath bene married, is a houtholder, no houthold seruant or Retainor, and xxx. yeeres of age at the least, or to haue continuance for more then one yeere, or which beareth not date the day & place where the Sessions be holden, or is not signed & sealed with the hands and seales of thre Iustices of the peace, being present at the same Sessions at the least, whereof one to be of the Quorum, the same license shalbe void, and the partie which taketh the same shall forfeit five pounds to the Queene & A. to be recovered by A. I. &c. wherein no W. &c. E. or W. &c. 5. Eliz. 12. 13. Eliz. 25.

To whom and where a badgers license shalbe made.

2 No person shall vpon paine of v. l. to be forfeited and recovered as is aforesaid, by authoritie of such license, buy any cozne out of open faire or Market, to sell the same againe, except he be thereunto specially licensed by expresse words in his license. 5. Eliz. 12. 13. Eliz. 25.

License to buy Cozne out of a Markst.

3 All licenses made to the said Badgers, Laders, Drouers, &c. and all recognisances taken of them by the Iustices of peace in their Sessions (that they shall not do any thing contrary to the statute. 5. Ed. 6. 14. provided against fozeftallers) shal be made & written by the Clerke of the peace of the same Countie or his deputie & none other person, & the said Clerke shall haue xii. d. for the license, & viii. d. for the recognisance, & for the registering of them both iiii. d. at the most, for which fee the Clerke or his deputie shall keepe a Register booke, and therein shall write the names, surnames and dwelling places of such as be licensed, with a brieve entrie of the license, and of the day, time and place where it was graunted, which booke he shall bring to euery Sessions that it may appeare what number of licenses be graunted. 5. Eliz. 12. 13. Eliz. 25.

Licences and recognisances shalbe registered.

Bankrupts.

**Jurueyours for
Cities and
Townes cor-
porat.**

4 This Act shall not extend to preiudice the liberties of any Citie or Towne corporat, but euery of them may lawfully assigne & license purueyours for the prouision of the same Citie or Towne corporat, as they might haue done befoze &c. neither shall this Act be preiudicial to the inhabitants within the Counties of Westmerland, Cumberland, Lancashire, Chester, Wozke, or any of them, but they may do as they haue vled to do. 5. Eliz. 1 2. 1 3. Eliz. 2 5. S. Foresters. Iustices of peace. 3 2. 3 3.

Bankrupts.

**Who is a
Bankrupt.**

If any Marchant or other person vsing or exercising the trade of Merchandise by way of bargaining, exchange, rechange, bartery, cheuifance, or otherwise in grosse or by retaille, or seeking his or her trade of liuing by buying and selling, and being a subiect bozne of this Realme, or of any the Queenes Dominions, or Denizen, shall depart the Realme, or begin to keepe his or her house, or otherwise to absent him or her self, to take Sanctuarie, or suffer him or her selfe willingly to be arrested for any debt or other thing not growen or due, for money deliuered, wares sold, or any other iust or lawfull cause, or will suffer him or her selfe to be outlawed, or yeeld him or her selfe to prison, or depart from his or her dwelling house to the intent to defraude or hinder any of his or her creditors being also a subiect bozne, of the iust debt or duetie of such creditor or creditors, he shall be deemed and taken for a Bankrupt. 1 3. Eliz. 7.

**Comissioners
shall take order
for bankrupts
bodies, lands,
and goods.**

2 The Lord Chawncellor, or keeper of the great Seale, vpon complaint to him made in wryting, against any such person being Bankrupt as is aforesaid, hath authoritie by Comission vnder the great Seale, to assigne such honest and discreete persons, as shall seeme to him good, who or the most part of them shall haue authoritie to take such order with the body of such person wheresoeuer she or he may be had, either in house, Sanctuarie, or els where, as well by imprisonment of his bodie, as with his lands, tenements, & hereditaments, as well copie or customarie hold as freehold, which he shall haue in his owne right befoze he became Bankrupt, as also with all such lands, tenements, & hereditaments, as he hath purchased or obtained for money or other recopence, jointly with his wife, child or children, to the onely vse of such offendor, or of, or for such vse, interest, right or title, as such offendor then shall haue in the same, which he may lawfully depart withall, or with any person or persons of trust to any secret vse of such offendor. And also with his money, goods, cattels, wares, marchandizes, and debts wheresoeuer they may be found or knowen, and cause the said lands, tenements, fees, annuities, offices, goods, cattels, wares, marchandizes, and debts to be searched, viewed, rented, & appyled to the best value they may, and by deede indented, inrolled in one of the Queenes Courts of Record, to make sale of the said lands, tenements, and hereditaments, and of all deeds, euidences & wrytings, touching onely the same, belonging to any such offendor or debtor, and also of all fees, annuities,

ties, offices, goods, and cattels, or otherwise to order the same for the true satisfaction and payment of the same creditors, that is to say, to every of the said creditors a portion, rate and rate like, according to the quantitie of his debts. And every direction, order, bargain, sale and other things done by the said persons so authorized, as is aforesaid in forme aforesaid, shall be good in Lawe to all intents against the said Offendor or debtor, his wife, heires and childzen, and such persons as by such ioynt purchase with the offendor, shall haue any estate or interest in the Premises, and against all other persons claiming by, from or vnder such offendor or debtor, by any Act, had, made or done after he shall become Bankrupt, as is aforesaid, and also against the Lords of the Manors, whereof the sayd Copihold or Customarie lands be holden, their heires, successors, & assignes, and every of them. 13. Eliz. 7.

3 All persons to whom any such sale of Copihold or Customarie lands shall be made, shall (before they shall enter or take any profit of the same) compound with the Lords of the Manors, of whom the same shall be holden, for such fines or incombe as heretofore hath bin accustomed to be payed therfore. And vpon every such composition the said Lords at the next Court to be holden, at or for the said Manors, shall not onely graunt vnto the said vendee or vendees vpon request, the same Copy or Customary lands, by Copy of Court roll of the same Manors, for such estate or interest as to them shall be so sold, and reseruing the auncient rents, customes & seruices, but also in the same Court admit them tenants of the same Copy or customarie landes &c. as other Copiholders of the same Manors haue bene woont to be admitted, and to receiue their fealtie accordingly. 13. Eliz. 7.

Vendees of copiholds shall compound with the lords of the manors.

4 Such of the sayd Commissioners as shall put the said Commission in execution, shall vpon lawfull request to them made by the said Bankrupts, not onely make a true declaration to the same Bankrupts of the imploying and bestowing of their said lands, tenements, offices, fees, goods, cattels, and debts so paid to their said creditors, but also make payment of the ouerplus of the same (if any such shall be) to the said Bankrupts, their executors, administrators or assignes. 13. Eliz. 7.

Commissioners shall declare how they haue bestowed the Bankrupts goods &c.

5 If after any such act or offence committed & complaint therof made to the said Commissioners, or the more part of them by any partie grieved, as is aforesaid concerning the Premises, knowing, supposing or suspecting any of the goods, cattels, wares, marchandizes, or debts of such offendor or debtor, to be in custodie, vse or possession of any person, or any person to be indebted to any such offendor, do make relation thereof to the said Commissioners or the more part of them: Then the said Commissioners or the more part of them, haue full power to send for, and call before them by such proces, meanes, or waies, as they shall thinke conuenient, every such person so knowen, suspected, or supposed to haue anie goods, debts &c. in his custodie &c. or supposed to be indebted to such offendor, and
vpon

Examination of such as haue Bankrupts goods, or be indebted to them.

upon his apparance to examine him aswell by his othe as otherwise, by such meanes as the said Commissioners or &c. shal thinke meet for & upon the specialtie, certaintie, true declaration & knowledge of all and singular such goods & debts of any such offender as be suspected to be in his custodie, vse, occupation or possession, & all such debts as by himselfe shalbe supposed to be owing to any such offender. And if any such person upon such examination doe not disclose plainely and declare the whole truth of such things as he shall be examined of, concerning the pmisses to his knowledge, or do denie to sweare: Then euery such person denying to sweare, or being examined do not declare the whole truth concerning the pmisses, upon due prooofe therof to be made, befoze the said Commissioners, or &c. by witnes, examination or otherwise, as to the same Commissioners, or &c. shall seeme sufficient, shall forfeit the double value of all such goods, cattels, wares, marchādizes, & debts by them so concealed, & not plainely & wholy declared, which forfeiture shall be leuied by the said Commissioners or &c. of the lands &c. goods &c. of such person so denying to sweare, or not disclosing the whole truth by such meanes, and in such maner & forme, as is befoze limited for the principall offender, the same forfeiture to be employed to and for the satisfaction of the debts of the said Creditors, in such like maner, rate and forme, as is aboue declared, concerning the ordering of the lands and tenements, offices, fees, goods and cattels of such offender or debtor, as is aforesaid. 13. Eliz. 7.

Fraudulent
possessing of
Bankrupts
lands & goods.

6 If at any time befoze or after that any such person departeth the realme, or shal keepe his house, or otherwise absent himself, or take Sanctuarie, or suffer himselfe to be arrested, outlawed or yeeld his body to prison, anie person do fraudulently by couin claime, demaund, recouer, possesse or detainie any debts, duties, goods, cattels, lands or tenements, by writing, trust or otherwise which were or shal be due or appertaine to any such offender, other then such as he can and do prooue to be due, by right and conscience in forme aforesaid, for money paid, wares deliuered, or other iust consideration to the iust value thereof, befoze the said Commissioners or &c. and the same to proceed (bona fide) without fraude or couin, then euery such person so craftily demaunding, claiming, hauing or possesseing any such debt, shall forfeit double asmuch as he shall so claime, demaund, detainie or possesse, which said forfeiture shalbe leuied, recouered, and imploied in maner and forme befoze rehearsed. 13. Eliz. 7.

How the ouer-
plus of the for-
feiture shalbe
employed after
the creditors
payed.

7 If it shall fortune the creditors of any such Bankrupt to be satisfied & paid of their debts & duties, of or with the proper lands, goods, and debts of the said Bankrupts, or of, or with the same, and some part of the forfeitures of the said double values, to be forfeited as is aforesaid, & that there shal remaine an ouerplus of the said forfeitures of y^e said double values, then the one moytie of the said ouerplus shalbe by the said Commissioners so executing the said Commission within conuenient time after the

leuying

leuying thereof, paied vnto the Queene &c. and the other moytie shall be distributed amongst the poore within the Hospitals in euery Citie, towne, or Countie, where any such Bankrupt shall happen to be. 13. Eliz. 7.

8 If any such person indebted, do of purpose withdraw himselfe from his vsuall mansion house, then vpon complaint thereof made to the sayd Commissioners, the same Commissioners or the more part of them haue fullpower to award fine Proclamatiōs, to be made in the Queenes name vpon fine sundry market daies in such places neere the place where such Bankrupt hath most commonly dwelled, or made his abode, commaunding him by the same Proclamations in the Queenes name, to returne with all conuenient speed, and to yeeld his body before the said Commissioners or one of them, at such time & place, as by the said Proclamation shall be appointed. And if the said person do not according to such Proclamation repaire and yeeld his body as is aforesaid, then the body of euery such offender, shall be adiudged to all intents out of the Queenes protection. And also euery person that shall willingly and wittingly help to hide or conuey, or shall willingly and wittingly receiue, detaine, or keepe secretly any person so demaunded by Proclamation, shall suffer such paines by imprisonment of his body, or pay such fine to the Queene, her heires and successors, as to the Lord Chaucelloz, or Lord Keeper &c. (being informed thereof by the Commissioners, or the more part of them) shall seeme conuenient for his said offence. 13. Eliz. 7.

A remedie for him which departeth from his house.

Conueying or hiding him which is demaunded by proclamation.

9 If the Creditors of any such offender or debtor &c. be not fully satisfied or otherwise contented for their debts and duties by the meanes before specified, then the said Creditors and euery of them, shall and may haue their remedie for the recouerie and leuying of the residue of the sayd debts or duties, whereof they shall not be fully satisfied in forme aforesaid, against the said Offendor, in like maner and forme, as they should and might haue had before the making of this Act. And the said Creditors and euery of them, shalbe onely barred and excluded by vertue of this Act, of and for euery such part of the said debts and duties, as shalbe paid or deliuered vnto them, by order of the said persons as is aforesaid, and of no more portion or parcell thereof. 13. Eliz. 7.

A remedie for the creditors which be not fully satisfied, according to this statute.

10 If any person declared to be a Bankrupt by this Act, shall at any time after purchase any lands, tenemēts, hereditaments, free or Copy, of fees, fees, goods or cattels, or that any such shall discend, reuert, or by any meanes come to him, before his debts due to his Creditors shalbe fully paid, or otherwise agreed for: Then the same lāds, goods, cattels, &c. shal by the said Commissioners or the more part of them, be bargained, sold, extended, deliuered & vled for, and towards the paiment of the said Creditors, in such like maner as other the lands, cattels &c. of the said Bankrupts, which they had, when they were declared first to be Bankrupts, should or might haue bene by vertue of this Act. 13. Eliz. 7.

Extending of lands & goods discended vnto or purchased by a Bankrupt.

Lands coueied
away before
he became
Bankrupt.

II This act shall not extend to any lands, teneiments, or hereditaments free or Copphold, which shalbe assured by any Bankrupt, before he become Bankrupt, so alwaies that such assurance be made (Bona fide) and not to the vse of the Bankrupt himselte onely, or of his heires. And that the parties to whose vse such assurance shalbe made, be not, at, or before the making of such assurance, priuie or consenting to the fraudulent purpose of any such Bankrupt to deceiue his Creditozs, 13. Eliz. 7.

Barke.

Oken shall be
felled in bar-
king time onely.

IF any person fell, or cause to be felled any Oken trees, meete to be barked, where the barke is worth ii. s. a Cart load, aboue the charges of barking & pilling (timber to be bestowed in or about building or reparations of houses, ships, or mills, or any of them onely excepted) but betwixt the first day of April, and the last of June, he shall forfeit euery Oken tree so felled, or the double value thereof, to the Queene and Informer, to be recovered by A. J. &c. wherein no T. &c. C. or W. &c. 5. Eliz. 8.

Purueyozs
shall fell oken
onely in bar-
king time.

2 No Taker or Purueyoz of timber, or his deputy, shall fell or cause to be felled for the Queenes vse, her heires or successozs, any Oken timber tree meete to be Barked, but in Barking time (Trees to be felled for building or repairing of any her Maiesties houses or ships onely excepted,) or shall in any wise take or receiue any profite by any lops, tops, or barke of any tree taken by him, or shall take, carie away, or dispose from the owner any moze of any tree to be taken as is aforesaid, then onely the timber of the same tree or trees, to be used & bestowed or imployed onely in, vpon, or about the Queenes buildings, or ships, vpon paine to forfeit to the partie griued for euery tree, & for the lops, tops, or barke of euery tree xl. s. And it shalbe lawfull to the partie griued, of whom such trees shall be taken, or to any other for him, to withhold, retaine and keepe to himselte, all the lop, top, and barke of such tree or trees, any Commission or other matter whatsoeuer notwithstanding. 5. Eliz. 8.

Barking of
apple trees.

3 Whosoever shall maliciously, willingly, or unlawfully barke any Apple trees, Peare trees, or other fruit trees, of any other persons, shall forfeit to the partie griued treble damages, to be recovered by Action of trespassse to be taken at the common Law, and to the Queene ten pounds for a fine. 37. H. 8. 6.

Bastardie.

Iustices of
peace shal take
order for Ba-
rards.

TWo Iustices of the peace, whereof one to be of the Quorum, in or next vnto the limits, where the Parish church is, within which Parish any Bastard begotten and bozne out of lawfull Matrimonie shalbe bozne (vpon examination of the cause and circumstance) shall and may by their discretion, take order, aswell for the punishment of the mother, and reputed father of such Bastard child, as also for the better reliefe of euery such Parish in part or in all, and shall and may likewise take order for the keeping of euery such bastard child, by charging such mother or
reputed

reputed father, with the paiment of money weekly, or other sustentation for the reliefe of such child, in such wise as they shall thinke conuenient. And if after the same order by them subscribed vnder their hands, any the said persons, that is to say mother or reputed father, vpon notice thereof, shall not for their part performe the said order: Then euery such partie so making default, in not performing the said order, shall be committed to ward to the common Gaole, there to remaine without baile or mainprise, except he, she, or they shall put in sufficient suerties to performe the said order, or els personally to appeare at the next generall Sessions of the Peace to be holden in that Countie where such order shall be taken, and also to abide such order, as the said Iustices of the Peace, or the more part of them, then and there shall take in that behalfe (if they then and there shall take any,) and if at the said Sessions the said Iustices shall take no order, then to abide and performe the order before made, as is abouesaid, 18. Eliz. 3. 18. Eliz. 11. 35. Eliz. 7. to continue to the end of the next Parliament now next ensuing.

2 It is an auncient and approued Law in this Realme, that he which is borne before marriage is not legitimate to enioy any inheritance, as he that is borne after marriage. Merton. 20. H. 3. 9.

He is a Bastard which is borne before marriage.

3 In all Courts where any suite shall be commenced, wherein Bastardie shall be pleaded against any person, partie to the same suit, & thereupon an issue ioined, which by the Law ought to be certified by the Ordinarie, the Iustices or one of them of the same Courts before any writ of Certificat shall passe to the Ordinarie to certifie the issue so ioyned, shall make remembrance vnder their seales or seale, at the demaundant, tenant, plaintife, or defendants suite, reciting the issue, & shall certifie the same to the Chaunceloz of Englad, to the intent that Proclamation may be made in the Chauncerie once euery moneth by the space of thre moneths, that all persons which haue any interest to object against him which pretendeth to be mulier, shall be before the Ordinarie to whom the Certificat shall be directed, to alledge, and object against the partie pretending to be mulier, as the lawes of the Church do require. And the Chaunceloz hauing notice of the same remembrance and issue ioyned, and being required by one of the foresaid parties, shall cause the said Proclamations to be made in fourme aforesaid, and shall certifie the same into the Court where the suite shall depend. And the Iustices of the Court where the suit shall be commenced, shall make one Proclamation openly in the same Court before any Proclamation made in the Chauncerie, and another after the Chaunceloz hath certified, and then the Iudge shall award the said writ of Certificat to the ordinarie, to certifie of the issue ioined. And if any writ of Certificat be graunted before all the Proclamations in fourme aforesaid be made & certified, the said certificat, & the Certificat of the ordinarie thereupon made, shall be void in Law, 9. H. 6. 11.

Proclamations made before the writ to the Bishop to certifie Bastardie.

Barwicke. Byshops.

1 By what meanes Bastardie shall be tried when it is pleaded against one borne beyond the sea. S. Abilitie 2.

Barwicke.

Marchandizes
conueyed into
or out of Scot-
land, shall be
brought from
Barwicke.

All marchandizes that shall be brought out of Scotland, or the Isles of the same, into this realme, Ireland, or Wales, shall be first brought to Barwicke. And none vnder the Queenes obeyesance shall buy such marchandizes, before that it be bought, sold, & customed there (except at Carlisle, & the Portes and Creekes pertaining to the West March.) And also none vnder the Queenes obeyesance shall carry any marchandise being in England, Ireland or Wales, into Scotland, or into the Isles of the same. And none vnder the Queens allegiance shall sell marchandise of England, Wales or Ireland, to any inhabiting in Scotland, except at Barwicke & Carlisle. No marchandise shall be shipped betweene Tinnmouth, & Barwicke, but onely in the Port of Barwicke. No man shall cause to be sold Salmon taken in Tweed but the Burgesles, & they that be enfranchised in Barwicke. And he that offendeth, or doth with any marchandise contrary to this ordinance, shall forfeit the same to the Q. & him that will seise, or sue for the same by A. of debt, wherein no W.C.P. &c. 22. Ed. 4. 8.

1 For payment of Mortuaries in Barwicke and the Marches thereof. See Mortuaries. 5.

Byshops.

Election of
Bishops.

If the Deane & Chapter of any Cathedrall Church where the sea of any Archbishop or Bishop is, within any of the Queenes Dominions, where the Queenes license vnder the great Seale is graunted vnto them to proceed for the election of any Archbishop or Bishop of the Sea being void, with a letter missiue containing the name of the person which they shall chuse, after such license deliuered vnto them, proceed not to election within xii. daies, and signifie the same vnder their common Seale vnto the Q. her heirs or successors within xx. daies next after such license shall come to their hands, or if any Archbishop or Bishop within any the Queenes Dominions, after any such election, nomination, or presentation, shall be signified vnto them by the Queenes letters patents, shall refuse and do not confirme, inuest, and consecrate with all due circumstance, euery such person so elected, nominated or presented, and to them signified, within xx. daies next after the Q. letters patents, or such signification, or presentation shall come to their hands, or els if any of them, or any other person, admit, maintaine, allow, obey, doe, or execute any censures, excommunication, interdictions, inhibitions, or any other proces or Acte to the contrarie or let thereof, then euery Deane and particular person of the Chapter, and euery Archbishop and Bishop and other person so offending and doing contrary to any part hereof, their aiders, counsellors and abettors, shall run in the danges and penalties of the statute of Provision and Premunire made 25. Ed. 3. & 16. R. 2. 25. H. 8. 20. 1. Eliz. 1.

Consecrating
of Bishops.

2 All and euery depriuation, and depriuations, and all and euery sentence & sentences of depriuation whatsoeuer, had, pronounced, or giuen at any time betweene the beginning of the raigne of the Queenes Maiestie that now is, and the tenth day of Nouember in the fourth yeere of the same, against any person or persons, which was, or tooke vpon him to be Archbishop or Bishop of any Sea or Bishopricke, or Deane of any Deanry within this Realme, or any the Dominions thereof, in the raigne of the late Queene Marie, from such Sea or Bishopricke, shall be adiudged, deemed, and taken good and sufficient in law to all intents & purposes, and so shall remaine and continue: any appeals, exception, or other matter or thing whatsoeuer to the contrarie thereof in any wise notwithstanding. 39. Eliz. 8.

Depriuation of
Bishops and
Deanes,

3 All such Archbishops, and Bishops, and Deanes as were ordained or made by the authority or licence of the Queenes Maiestie that now is, at any time betweene the beginning of her raigne, and the said tenth day of Nouember in the fourth yeere of her Maiesties raigne, shall be taken, and adiudged to be lawfull Archbishop, or Bishop of the Sea or Bishopricke, and Deane of the Deanrie vnto the which he was so preferred, assigned, or appointed: And the same Sea of Archbishopricke or Bishopricke, & Deanrie vnto which he was so preferred, assigned, or appointed, shall be deemed & adiudged to be meere void to all respects & purposes before such preferment, appointment, or assignement so made as aforesaid: any ambiguity or question in that behalfe heretofore made, or hereafter to be made to the contrary in any wise notwithstanding. 39. Eliz. 8.

Archbishops,
Bishops, and
Deanes made
by the Queene.

1 For a writ to the Bishop to certifie Bastardy. S. Bastardy 3. Ability 2.

2 What assurances made by Bishops &c. of their lands shall be good, and what not. S. Ecclesiast. 6.

3 That a Bishop may visite euery Hospitall within his diocesse. See Hospitals. 1.

4 That Bishops may punish Priestes, Clerkes, &c. for incontinencie. See Incontinencie.

5 For a confirmation of certaine graunts made by Bishops to king H. 8. and K. Ed. 6. of certaine landes. See Monasteries 29.

Bookes.

If any person resiant or inhabitant within this Realme, shall buy to sell againe, any printed Books, brought from any parts out of the Queenes obeyesance, ready bound in boards, leather, or parchment, he shall forfeit for euery booke bound out of the Queenes obeyesance, & brought into this Realme, & bought by any person within the same to sell againe, vi. s. viii. d. to the Q. and the partie that wil seise or sue for the same by A. J. &c. wherein no W. &c. E. or D. &c. 25. H. 8. 15.

Books brought
from beyond
sea bound.

2 If any person inhabitant or resiant within this Realme, shall buy within this realme of any Stranger bozne out of the Queenes obeyesance

Books brought
from beyond
sea bought in
gross.

Bookes. Boatmen, Watermen, Barges, Boates, &c.

(other then of Denizens) any printed Bookes brought from any parts beyond the sea, (except only by ingrosse) & not by retaille, he shal forfait for euery booke so bought by retaille vi. s. viii. d. to the Q. and the partie that wil seise or sue for the same by A. J. &c. wherein no W. &c. 25. H. 8. 15.

The price of
Bookes in-
haunced.

3 If any Printers, or sellers of printed Bookes, inhabiting within this Realme, do at any time in such wise inhaunce and increase the prices of any such printed Bookes in sale or binding at too high and vnrasonable prices, in such wise as complaint thereof be made to the Queene, or vnto the L. Chaunceloz, L. Treasorier, or any of the chiefe Iustices of the one Bench, or of the other, then the same Lords &c. or two of any of them shall haue authoritie to inquire thereof, as well by the oathes of twelue honest & discret persons, as otherwise by due examinations by their discretions. And after the same inhauncing, and increasing of the said prices of the said Bookes & binding, shal be so found by the said xii. men, or otherwise by examination of the said L. Chaunceloz, L. Treasorier, & Iustices, or two of them: Then the same Lords &c. or two of them at the least, shall haue power to refozme & redzesse such inhauncing of the prices of printed Bookes from time to time by their discretions, & to limit the prices aswel of the Bookes, as for the binding of them. And ouer that the offender or offenders therof being conuicted by examination of the same Lords &c. or two of them, or otherwise, shal forfe. for euery booke by the sold, whereof the price shall be inhaunced for the booke or binding thereof iii. s. iii. d. to the Q. and partie grieved that will complaine vpon the same, in maner and forme aforesaid. 25. H. 8. 15.

Boatmen, Watermen, Barges, Boates, &c.

Eight Duer-
seers of Wa-
termen.

The Maior and court of Aldermen of the citie of London, at their first Court of Aldermen holden within the said Citie next after the first day of March, shall preetely appoint and chuse viii. persons, of the most wise, discrette, and best sort of Watermen, being householders, & occupying as Watermen vpon the riuer of Thamise, betwixt Grauesend & Windsor: And the same eight persons so elected, shal be called the Duerseers and Rulers of all the Whirymen and Watermen, that after the said first day of March, shal vse or exercise any rowing vpon the said riuer of Thamise, betweene Grauesend & Windsor, which said Duerseers shall keepe good order and obedience amongst the said watermen, according to the true meaning of this statute. And if any person elected to be an Duerseer, do negligently exercise his rounth, or wil obstinately refuse to take vpon him the same, then he shall forfait to the Q. and J. v. li. to be recovered by A. J. &c. wherein no W. &c. E. P. J. &c. 2. & 3. H. and H. 16.

Duerseers
neglecting or
refusing their
rounth.

Duerseers shal
order the Wa-
termen, and
register their
names.

2 It is lawfull to the said eight Rulers for the time being, and their successors, from time to time to call before them at some conuenient place by them to be appointed, all and euery such person and persons which shall vse the said trade of rowing betwixt Grauesend and Windsor, and shall register

register the names of euery of them that shalbe by them allowed or admitted for watermen to rowe betwixt Grauesend and Windsor, in a booke made for the same intent, and to take such further order therein with euery of the said parties, as it shall seeme meete by the discretion of the said Duerseers. And also the said Duerseers shall and may ouersee, view, and suruey at all times, all Boates and Whiries that shall be made, before the same be launched out of the yard or ground, wherein they shalbe made, into the said riuer of Thamise, to the intent that they and euery of them may be made and prepared, in such maner and forme, and according to the goodnesse, proportion, and quantitie in this Act limited. And the Mayor and Aldermen of London, and the Iustices of Peace within the Shires next adioyning to the riuer of Thamise, euery of them within their seuerall iurisdiccions haue authoritie vpon complaint made to them, or any of them by the said Duerseers, or two of them, or the Master of any seru-
 uant, not onely to examine, heare, and determine all complaints & offences committed by any such person that shall offend contrarie to the true meaning of this act, and to set at large euery such person as shall be imprisoned by the said Duerseers, according to this act, if iust cause shall appeare vnto them so to doe: But also by their discretion to punish, correct, and refoyme the said Duerseers and euery of them, that shall vniuersally punish any person by colour of this act &c. 2. & 3. R. and B. 16. See Iustices of peace. 105.

Duerseers shall view the boats before they be launched forth.

Examining complaints.

Reforming ouerseers.

3 No persons where two Watermen and not aboue two shall row together in one boate, or whirie, in any place betwixt Grauesend and Windsor, shall receiue any person into their boate or whirie, to the intent to carie him therein, vnlesse one of the same two watermen haue bin for the most part exercised in rowing vpon the said riuer of Thamise by the space of two whole yeeres before that time. And also that one of the same two watermen at the least be duely admitted & allowed by the same eight Duerseers, or the most part of them by writing, vnder their knownen seal, to be a sufficient and able waterman, vpon paine that euery such person presuming or offending contrarie to the true meaning of this act, shall by the said eight Duerseers be committed to prison in one of the Counters of the citie of London, there to remaine one Moneth, or lesse, as the offence shall require. 2. & 3. R. and B. 16.

Two watermen shall not row but where one of them is allowed by the Duerseers.

4 No person being a single man, not keeping household, and not retained, shall vse to rowe betwixt Grauesend and Windsor, vnlesse he be prentice, or in seruice retained with a Master by the whole yeere at the least, vpon paine of like imprisonment, 2. & 3. R. and B. 16.

No single man shall vse a waterman.

5 If any person shall make any whirie, or boat, to the intent commonly to vse rowing and carying of people vpon the said riuer of Thamise, which shall not be xxi. foote and a halfe in length, and iiii. foote & a halfe broad in the midship, or which shall not be substantially and well able and

The length, breadth, and goodnesse of Boates.

Boatmen, Watermen, Barges, Boates, &c.

sufficient to carie two persons on one side, right according to the olde quantitie, skantling, thicknesse of boord, goodnes, and good proportion heretofore had and vled: Then the same Boat being made contrarie to the proportion and sort before exprest, shall be taken as forfeit, & shalbe forfeit to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. or J. &c. 2. & 3. P. and D. 16.

Watermen
which hide
themselves
in the time
of pressing.

6 If any person that shall vse the occupation of rowing betwixt Grauesend & Windsor, which in the time of the execution of any commission of pressing, that shall be had for the seruing of the Queene, her heires and successors, in their affaires, shall willingly and obstinately hide, or conuey himselfe in the same time of pressing, into secret places and out corners, and after when such time of pressing is ouerpasted, shall returne againe to the said riuer of Thamise, to rowe betwixt Grauesend and Windsor, and that duely proued by two indifferent witnesses before the Maior of London & Court of Aldermen, or Iustices of the peace, and two of the said rulers, then he so offending, shall suffer imprisonment by the space of two weekes, and be banished any more to rowe from thenceforth vpon the said ryuer of Thamise, by the space of one whole yeere and a day then next following. 2. & 3. P. and D. 16.

What fare
watermen
may take.

7 Euery person authorized to rowe betweene Grauesend and Windsor, that shall take for his fare and labour aboue the prizes asselled by the Maior & court of Aldermen of London, & viewed, signed, and subscribed with two at the least of the Queenes priuie Counsels hands, and witten and set vp in Tables in the Guild hall, Westminster hall &c. shall suffer imprisonment one halfe yeere, and also shall forfeit for euery such offence to the Queene & J. &c. xl.s. to be recovered by A. J. &c. wherein no W. &c. P. or J. &c. for the Maior & court of Aldermen of London, shal from time to time asselle the summes of money that euery person authorized to rowe betweene Grauesend & Windsor, shall take for his labour or fare from place to place particularly betwixt Grauesend and Windsor 2. & 3. P. and D. 16. By the statute made 6. H. 8. 7. there was established a certain rate & wages that watermen should take for their fare betwixt one place and another neere vnto the citie of London. But it seemeth that the force of that Statute is taken away by the foresaid branch, Sed Quære.

The seruants
of Westerne
Bargemen.

8 No person occupping any Westerne Barge, shall retaine, take or receiue into his seruice, any single person not keeping house, or household, but onely such as shalbe retained with him by the whole yeere, & no household, but onely such as he wil, or shall answer for his good behauiour, vpon pain & forfeit, to the Q. & J. xl.s. to be recovered by A. J. &c. wherein no W. &c. P. J. &c. 2. & 3. P. and D. 16.

It seemeth that this branch is repealed by the generall words of the Statute of 5. Eliz. 4. which repealeth all Statutes and euery branch of them which touch or concerne the hyring, keeping, departing, working,

wages,

wages, or order of seruants, workmen, artificers, prentices, and labourers, &c. Sed Quære.

9 No person shall interrupt by any obstacle, let, or otherwise, any person or persons, passing or repassing, on and vpon any of the pathes being of a foote & a halfe broad, lying on euery side of the riuer of Seuerne, and time out of mind accustomed, nor shall aske, take, or demand any toll called a draught, or a bottel of wine, or any other taxe or imposition of any of the D. subiects there going in the said pathes accustomed, there hayling or drawing their boats, troughes, or vessels, vpon pain to forfeit for euery time that he shall interrupt any of the D. subiects, or aske, or take any such imposition, by what name soeuer it be called, xl. s. to the D. & party grieved, to be recouered by A. J. &c. wherein no W. C. P. &c. 9. H. 6. 5. 23. H. 8. 12.

Passengers
vpon the banks
of Seuerne.

10 Whosoever doth take any imposition of any of the Queenes liege people, for any Trough, Boat, or other vessel for any goods or marchandizes caried in and vpon the riuer of Seuerne, or doth bere or interrupt any Boates, Troughes, or vessels so passing by the said riuer, for any such imposition, or otherwise against the D. Lawes, (except such which by decree made betwixt xx. Ianua. Anno dñi 1503. and the Ascention day, Añ dñi 1505. by the kings Counsell in the Starre Chamber obteyned the same) shall forfeit for euery such offence xx. li. whereof the Queene shall haue two parts, and the partie that will sue by popular Action of debt the third part, whereof no W. C. P. &c. 19. H. 7. 18.

Imposition of
Boates vpon
Seuerne.

11 But any person hauing lands or meadowes adioyning to the said water of Seuerne, may take of euery person going vpon his lands & meadowes, & drawing any Boat, Trough, or vessel, reasonable recompence for such hurts as he shall sustaine by reason of any such going, or drawing, 19. H. 7. 18. Except of such as shall passe or repasse vpon any of the pathes of euery side of the said riuer, being of a foote and a halfe broad, or thereabouts, & time out of mind accustomed, as is aforesaid, 23. H. 8. 12.

Recompence
for hurts done
by Barge-men.

12 If any person taking vpon him to haue & keepe any passage vpon the riuer of Seuerne, do carie with any Barge, Boat, or other vessel, any person or persons with horses, mares, kine, oren, or other cattell, or any other person, before the Sunne rising in the morning, or after the Sunne being set at night, ouer any of the said passages out of England into Wales, or the forrest of Deane, or out of Wales, or the forrest of Deane into England, vnles the said passenger hath good knowledge of such person & persons, and euery of their dwelling places, and vpon request to him made by any person or persons, do disclose the name & dwelling place of euery such person and persons, so by him conueyed ouer the said water to any such person or persons so requiring the same, if suit be made for and after them vpon any outcrie, huy, or fresh suit, of, or for any felony, robbery, murder, and manslaughter committed, he shall be imprisoned, and also pay a fine, 26. H. 8. 5. S. Iustices of peace 81.

Transporting
offenders into
or forth of
Wales at un-
lawfull times.

Bowes, Bowstaues.

1 The forfait of Boatmen for carrying any Corne &c. to a Ship to be transported. S. Corne 2.

Bowes, Bowstaues.

Fower Bow-
staues brought
in for euery tun
of marchandise.

If any Marchant stranger, or any seruant, attourney, or factor of any of them, which will bring, send, or conuey into this Realme any marchandise in Caracke, Galley or Ship, from the citie or countrey of Venice, or any countrey from the East parts, from the Ixxii. Haunce Townes, or from when any bowstaues haue bin heretofore brought, do not bring in the same ship wherein the marchandizes be, for euery tunne weight of marchandise fower bowstaues, he shall forfait to the D. and J. vi. s. viii. d. for euery default of bringing euery bowstafte, to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 12. Ed. 4. 2. 13. Eliz. 14.

2. Bowstaues
bought in for a
Butt of Palm-
sey or Tyre.

2 If any Marchant of Venice, or other, shall bring or conuey into this realme any Palmsey or Tyre, and do not bring with euery Butt of either of them ten Bowstaues, good and able stuffe, he shall forfait xiii. s. iiii. d. to the D. and J. &c. for euery Butt so brought, and not of the said number of bowstaues with the said Butt. And the said Bowstaues shall not be sold vngarbled, but to such persons as be bozne vnder the Queenes obedience. 1. R. 3. 11.

Bowstaues
garbled.

Who may shoot
in Bowes of
Ewe.

3 If any person vnder the age of xvii. yeeres, do shoote in any Bow of Ewe bought for him, he shall forfait vi. s. viii. d. (except his father or mother haue lands or tenements to the peerely value of ten pound, or be worth in moueables the summe of xl. markes.) 33. H. 8. 9.

Bowes of
Elme, Ashe,
Witchhazel.

4 If any Bowier dwelling within the Citie or Suburbs of London or Westminster, or the borough of Southwarke, wanteth by the space of twentie dayes, fiftie good and able Bowes of Elme, Witchhazel, or Ashe readie made, and meete to be sold & vled, he shall for euery Bow so wanting of the foresaid number forf. x. s. to the D. & J. &c. being an Armorer, Fletcher, or Bowstringmaker, to be recovered by A. J. &c. wherein no W. &c. 8. Eliz. 10. And euery Bowier dwelling elsewhere, which doth not for euery Bow which he maketh of Ewe, make iiii. other Bowes of some other wood apt for shooting, shall forf. for euery Bow so wanting to the D. and J. &c. iii. s. iiii. d. 33. H. 8. 9. 8. Eliz. 10.

The prices
Bowes.

5 If any Bowier do sell any Bow meete for mens shooting being of outlandish Ewe, & of the best sort, aboue the price of vi. s. viii. d. of the second sort aboue iii. s. iiii. d. of the course sort called liuerie Bowes aboue ii. s. of English Ewe aboue ii. s. a peece, he shall forfait for euery Bow so sold aboue the price aforesaid xl. s. to the D. and J. &c. being an Armorer, Fletcher, or Bowstringer, to be recovered by A. J. &c. wherein no W. &c. 8. Eliz. 10. 39. Eliz. 18. to continue in force vntill the end of the next Parliament. S. Archerie

1 That Bowstaues brought into this Realme, shall be searched and marked. S. Corporations 27.

NO persons shall carie or conuey, or ship, to the intent to carie or conuey any Brasse, Copper, Latten, Bell mettall, Iron mettall, Gun mettall, or Shroffe mettall, whether it be cleere or mixed (Tin & Lead onely excepted) into any part beyond the Sea, or into any outward dominion, vpon paine to forfeit the double value thereof, and x.li. for euery thousand weight of the same mettall so caried, or shipped to the intent to be caried, to the Q. and J. to be recovered by A. B. P. J. &c. wherein no *No Waste, Latten &c. shal be transported.*

23. H. 8. 7. 2. Ed. 6. 37.

2 The arrivall, discharge & deliuerie of the said mettals in any foreign dominion, shalbe tried & determined within this realme in such countie or place where the said mettals were shipped, or first caried, with like proces and determination as all other informations or actions be tried and adjudged within this realme, or as the same fact had bin done within this Realme. *Trial of a foreign act within this Realme.*

23. H. 8. 7. 2. Ed. 6. 37.

3 No person shall ship or carrie any of the said Mettals prohibited by this Statute, to carrie or discharge the same in any part of this Realme, vnlesse befoze the shipping thereof he do declare to the Custommer of such Port or Creeke, where the same mettall shall be shipped, the true weight of all such mettall as shall be shipped, and shall also befoze the shipping thereof, make a sufficient Obligation in the law, in which he shall bound to the said Custommer to the Queenes vse, in such summe as shall amount to the double value, and ten pound for euery thousand weight so declared, with condition that the same mettals shall be discharged at some Port or Creeke within this realme, and in no other place, vpon paine to forfeit the same. And euery such person that shal ship such mettals, and shall be bound as is aforesaid, shall within eight moneths next after the shipping thereof; bring a true certificat from the Custommer of the port, creeke, or place where he shall discharge the same, testifying that y^e same mettall so shipped & the true weight therof is there discharged, which certificat the Custommer of such place where the said mettall shall be discharged, shall vpon discharge thereof make and deliuer to the partie so discharging, or to his factor without any delay. And if the Custommer or his deputie doe make a false certificate concerning the discharging of such mettall, then he shall lose his office, and the value of the goods concealed out of the said certificat. And if any Custommer, Comptroller, or his deputie, by any vndue meane will suffer any person, after the mettall is shipped or caried contrarie to the meaning of this Act, to make an Obligation without date for the discharge and certificat of his mettall, then such Custommer so suffering or receyuing such obligation, shall lose his office, and the value of the mettall so shipped or caried. And if any Master, owner, purser, or boatswaine of any ship, do willingly permit any of the mettals abouesaid to be shipped contrarie to the tenor of this Act, or else perceiuing any such mettall to be shipped, do not disclose the same within three dayes after knowledge *He shalbe bound which carrieth mettals to discharge the same within this Realme.*

Customer of the Port.

Master of the ship which carrieth the brasse.

Brasse, Latten, Copper, and Bell mettall.

had, to the Customer or Comptroller of the same port, or his deputy where the same is shipped, then he shall forfeit the double value of the same mettall to the D. and J. to be recovered by A. B. P. J. &c. wherein no W. &c. E. P. &c. 33. H. 8. 7. 2. E. 6. 37. S. Customs &c. 19.

If the mettall
be drowned, or
robbed.

4 If the said mettall by tempest of weather be drowned, or by enemies or pyrates robbed and spoiled, and that sufficiently proved without fraud before the Customer and Comptroller, or their sufficient deputies, in the port where the partie so shipped the mettals aforesaid, or any of them, by the said partie or his executors, then he bringing such sufficient prooffe shall haue his Obligation to him deliuered, or els he & his executors thereof shall be cleerely discharged. 33. H. 8. 7. 2. E. 6. 37.

No mettall shall
be laden but
where there is
a Customer.

5 No person shall lade, shippe, or carrie into any part beyond the sea, any of the mettals aforesaid, but onely out of such port or creek where the Customer or his deputy is residēt & dwelling, vpon pain of forfeit. of the said mettall, & x. li. for euery thousand weight so shipped or caried to the D. & J. to be recovered by A. B. P. J. &c. wherein no W. &c. E. P. &c. 2. E. 6. 37.

1 Where vessell of Brasse shall be sold, of what goodnes it shall be, and what waight shall be thereof vsed. S. Pewter 1. 2. 4.

Bridges.

A remedie
where it is not
known who
ought to re-
paire Bridges
decayed.

Where it cannot be knownen & proued what hundzed, ryding, wapentake, citie, bozough, town, or parish, nor what person certain, or body politike, ought of right to make brydges decayed, in euery such case the said brydges (if they be without citie or towne corporate) shall be made by the inhabitants of the shire or ryding within the which the said brydge decayed shall be, and if it be within any citie or towne corporate, then by the inhabitants of euery such citie or towne corporate. And if part of any such brydges be in one shire, ryding, citie, or towne corporate, and the other part therof in an other shire, ryding, citie, or towne corporate, or if part be within the limits of any citie, or towne corporate, & part without, or part within one ryding, and part within an other, then the inhabitants of the shires, rydings, cities, or townes corporate, shall be charged to make and repaire such part of such brydges so decayed, as shall lie and be within the limits of the shire, ryding, citie, or towne corporate, wherein they be inhabited at the time of the same decayes. 22. H. 8. 5.

The inhabi-
tants of the
shire taxed for
the amendement
of decayed
Bridges.

2 In euery such case where it cannot be knownen & proued what persons lands, tenements, and bodies politike, ought to make & repaire such brydges, the Iustices of peace within the shires or rydings wherein such decayed brydges be, out of cities, and townes corporate, and if it be within cities or townes corporate, then the Iustices of peace within euery such citie or towne corporate, or fower of the said Iustices at the least, wherof one to be of the Quorum, haue power within the limits of their seuerall commissions, to call before them the Constables of euery towne & parish within the shire, ryding, citie, or towne corporate, aswell within liberties

as

as without, wherein such bridges or any parcel thereof shall happen to be, or els two of the most honest inhabitants within every such towne or parish, &c. by the discretion of the said Justices &c. and upon the apparance of such Constables or inhabitants, the said Justices, or foure of them, whereof one to be of the Quorum, with the assent of the said Constables or inhabitants, haue power to take, & set every inhabitant in every such citie, towne or parish within the limits of their commissions, to such reasonable aide and summe of money, as they shall thinke sufficient for the re-edifying and amending of such bridges, and after such taxation made, the said Justices shall cause the names and summes of every particular person so by them taxed, to be written in a roule indented, 22.H.8.5.

3 And the Justices of peace haue power to make two collectors of every hundred, for collection of all such summes of money by them taxed, Collectors of every hundred which Collectors receiuing the one part of the said roule indented under the seales of the said Justices, shall haue power to collect all the particular summes of money therein contained, and to distraine every such inhabitant, (as shall be taxed and refuse payment thereof) in his lands, goods and cattels, and to sell such distresse, and of the sale thereof retaine and receiue all the money taxed, and the residue (if the distresse be better) to deliver to the owner thereof, 22.H.8.5.

4 And the same Justices or foure of them, within the limits of their commissions, haue power to appoint two Surueiours, which shall see every such decayed Bridge repaired from time to time as often as need shall require, to whose hands the said Collectors shall pay the said summes of money taxed and by them receiued, and every of the Collectors and Surueiours, their executors and administrators &c. from time to time shall Surueiours which shall see the Bridge repaired. make a true declaration and accompt to the Justices of peace of the Shire, Riding, Citie, or towne corporat, wherein &c. or to foure of the same Justices, whereof one to be of the Quorum, of the receipts, payments and expences of the said summes of money. And if they or any of them refuse that to do, then the same Justices of peace or foure of them, haue power to make Proces against the said Collectors, Surueiours &c. and every of them, by attachments under their seales, returnable at the generall sessions of the peace: and if they appeare, then to compell them to accompt as is aforesaid, or else if any of them refuse that to do, then to commit him to ward, there to remaine without baile or mainprise, till the said declaration and accompt be truly made. And the Justices of peace, or foure of them, haue power to allow such reasonable costes and charges to the said Surueiours, & Collectors, as by their discretion shalbe thought conuenient, 22.H.8.5.

5 And where any Bridge or Bridges lie in one Shire or Riding, and such persons inhabitants, bodies politique, landes or tenements which Proces against the parties in another Shire which should repaire the any Bridges. ought to be charged to the making and amending thereof, lie and abide in

Bridges.

any other Shire or Riding, or where such Bridges bene within any Citie or Towne corporat, and the persons inhabitants, bodies politique, lands or tenements that owen to make or repaire any such Bridges, lie and be out of the said Cities or Townes corporat: In euery such case the Iustices of Peace of the Shire, Citie, or Towne corporat, within the which such decayed Bridges or any part thereof shall be, haue power to enquire, heare, and determine all such anoyances being within the limites of their Commissions. And if the anoyance be presented, then to make Proces into euery Shire within this Realme, against such as owen to make, or amend any such Bridges, so presented befoze them to be decayed to the anoyance and let of the passage of the Queenes subiects: And to do further in euery behalfe in euery such case as they might do by authoritie of this act, in case that the persons lands &c. which owen to be charged to the amending or making of such Bridges or any part thereof, were in the same Shire, Riding, Citie, or Towne corporat, where such anoyance shall happen to be. 22. H. 8. 5.

Five Portes.

6 This act shall not be preiudiciall to the libertie of the five Portes, or members of the same, for reformation of anoyances of Bridges within the said Portes & members, but the Wardens, Maiors, & Bailifes elected, and Jurates of the same Portes, and euery of them haue power to enquire, heare, and determine all maner of common anoyances of Bridges within the same Portes and members, and to make such proces, paines, taxations, and all other things within the same Portes and members, as the Iustices of peace may do in other Shires or places out of the same Portes, by vertue of this Act in euery behalfe, 22. H. 8. 5.

Bridges decayed and the high way thereunto adioynning.

7 Iustices of peace, or foure of them at the least, whereof one to be of the Quorum, haue power to enquire, heare and determine in their general Sessions, of all anoyances of Bridges broken in the high waies, and of all anoyances of high waies which lie next adioynning to the endes of Bridges, and CCC. foote from the same distant, and to make Proces and paines against such as ought to be charged &c. And to doe in euery thing, concerning the making, repairing, & amending of euery such high way, in as large maner as they may doe, for the making, repairing, and amending of Bridges by this act, 22. H. 8. 5.

Seruing of proces.

8 All Shirifes and Bailifes of Liberties and Franchises shall truly serue and execute such proces, as shall come to their hands from the Iustices of peace befoze whom any presentment shalbe had for any anoyance of Bridges, according to the tenor and effect of the said proces to them directed without fauour, affection, or corruption, vpon paine to make such fine as shalbe set vpon the or any of them by the said Iustices. 22. H. 8. 5. S. Iustices of peace 70.

1 That no village or freeman shalbe distrained to make any Bridges but such as are wont to doe it. S. Weares 1.

Brucer.

Bruer.

If any Bruer, which buyeth Beere or Ale to sell, shall by himselfe, or other to his vse, occupie the mysterie of Cowpers, or make Barrels, Kilderkins, Firkins, or other vessels of wood, by himselfe, or any of his owne seruants, wherein to put his Beere or Ale to sale, he shall forfeit for euery vessel made contrary to the tenour of this Act iii. §. iii. v. to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. But a Beere buer, or an Ale buer, may keepe in his seruice a Cowper, to binde, hoope, pinne, and amend his vessels, 23. H. 8. 4.

2 If an Ale or Beere buer do sell or take for any Barrell, Kilderkin, or Firkin of Ale or Beere aboue such prices and rates as shall be asselled by the Iustices of peace in the Shire, or by the Maior, Sherife, or head Officer of the Cite, Borough, or Towne corporat, where the said Ale or Beere buer doth dwell, he shall forfeit for euery barrell so sold vi. s. for euery Kilderkin iii. s. iii. d. for euery Firkin ii. s. for euery lesse vessel xii. d. and for a greater then a barrell x. s. to the Queene and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 23. H. 8. 4. S. Iustice of peace. 78. Corporations 1 2. Cowpers 1 2. 4. &c.

Burning.

Vho soeuer doth maliciously, willingly, and unlawfully burne, or cause to be burned, any Maie, or Cart laden with another mans goods, or any heape of wood of any other persons prepared and felled for making of Coales, Billets, or Tall wood, shall forfeit to the partie grieved, treble dammages, to be recovered by action of trespass, and to the Queene x. l. for a fine, 37. H. 8. 6.

Butchers.

If any person being a Butcher, and vsing the mysterie of Butcherie, shall buy any fat Oren, Steers, Ronts, Kine, Heifors, Calues, or Sheepe, and sell, or cause to be sold the same againe on lue, he shall forfeite to the D. and J. the same Oren, Steeres &c. bargained or sold to be recovered by A. J. &c. wherein no W. C. P. &c. But euery person being a Butcher, and vsing the mysterie of Butchery, shall and may at his pleasure buy any fat Oren, Steeres, Ronts, Kine, Heifors, Calues, and Sheepe, or any of them out of any open Faire or Market, so that he sell not, nor cause the same to be sold againe on lue, 3. Ed. 6. 19. 39. Eliz. 18. to continue to the end of the next Parliament now next ensuing.

2 If any Butcher or other person inhabiting within this Realme, Wales, or the Marches of the same, doe kill, or cause to be killed any Weanling, Bullocke, Steere, or Heiford, being vnder the age of two yeeres, to the intent to sell the same whole or by retaile, he shall forfeit to the D. and J. for euery such Weanling killed, & put to sale vi. s. viii. d. to be recovered by A. J. &c. wherein no W. C. P. &c. 24. H. 8. 9. 39. Eliz. 18. to endure to the end of the next Parliament now next ensuing.

Butchers. Butler of the Queene.

Calves under
v. weekes old.

3 If any Butcher or other person shall kill any Calse to sell, being under five weekes old, he shall forfait for euery Calse so killed vi. s. viii. d. 5. Eliz. 8.

No Butcher
shalbe a Tann-
ner.

4 If any person occupping the craft of a Butcher, doe vse by himselte or any other, the occupation of a Tanner, he shall forfait for euery day that he shall vse the feate of a Tanner vi. s. viii. d. 5. Eliz. 8.

Butchers shall
not kill catrell
within any
walled towne.

5 No Butcher or his seruant shall kill any beast within the scalding house in London, or within the wall of London, vpon paine to forfait for euery Dre xii. d. and for euery Cowe and other beast viii. d. to the D. and him that will sue by A. of debt, where no E. P. &c. And this Act extendeth and shall be obserued in euery Citie, Borough, and Towne walled with- in England, & in the Towne of Cambridge, (the Townes of Berwicke and Carlile excepted) 4. H. 7. 3.

A Butcher
shall not sell
messed or moze
rein flesh.

6 A Butcher that selleth Swines flesh messed, or flesh dead of the mo- rien, (after he shalbe couicted thereof) for y first time he shal be grieuouly amerced, the second time he shall be iudged to the Pillorie, the thirde time he shalbe imprisoned and make fine, and the fourth time he shal forswear the Towne. And in this maner shall it be done of all that offend in like case, as of Cookes that seeth flesh or fish any waies that is not holsome for mens body, or after that they haue kept it so long, that it looseth the natu- rall holsonnes, then seeth it againe and sell it, 5 I. H. 3. 5 I. E. 1.

Cookes.

- 1 That Butchers shall not gash any hides, S. Leather 1.
- 2 That Butchers shall not conspire to sell their victuals at certaine pri- ces, S. Artificers 1.

Butler of the Queene.

The Queenes
Butler shall
take no moze
wines then
shall be ap-
pointed.

The Steward of the Queenes house and Treasorer of the Wardrop, shall send to all the Portes of England where Wines be to be taken to the Queenes vse, the certaine number which the Butler shall take in euery part, so that nothing be taken ouer that number: And the Maior, and Bailifes of the said Portes shall certifie the said Steward and Treasorer, of the number of all the Tunnes so taken by the Butler or his Lieutenant vnder the seale of the said Maior and Bailifes, by Inden- tures made betweene them and the takers of the said wines. And in case that it be found that the Butler or his Lieutenant take moze or take re- ward of any, or delay any by colour of his office or by arrest, he shall make gree to the partie of double, and shall be put out of his office, and shall be imprisoned and punished at the Queenes pleasure, and the Queene shall appoint her Iustices whom it shall please her to inquire of these matters. And the Butler shall answere aswell for his deputies as for himselte where they be not sufficient, 25. Ed. 3. 21.

2 The Queenes Butler, nor none of his Lieutenants, shall buy, im- brace, or take, by colour of their office, nor in other maner to their proper vse nor of others, moze Wines for the Queenes house and expences then they

they haue in commaundement, vpon paine of imprisonment of their bodies, and to be punished at the Queenes pleasure. And as much as they shall take by force of the said warrant, shall be taken within x. daies, and that being done, the Marchants of the said Wines may, and it shall be lawfull for them, of the residue of the said Wines to make their profite, notwithstanding any arrest made vpon such Wines by the Butler or any of his Lieutenants aforesaid, 43. Ed. 3. 3.

1 That the Lieutenant of the Queenes Butler shall make no Deputie. S. Customers 23.

Butter and Cheefe.

IF any person doe buy to sell againe, any Butter or Cheefe, vntlesse he sell the same againe in open shop, faire, or market, and not in grosse, but by retaille, (that is to say, a wey of Cheefe, or a barrell of Butter or lesse quantitie, and not aboue, sold at one time) or except he be an Inholder, or Vtailer, which vttereth the same Butter or Cheefe by retaille in his house, he shall forfeit to the Queene and J. double the value of the Butter and Cheefe so solde, to be recouered &c. wherein no W. E. P. &c. 3. & 4. Ed. 6. 21. 39. Eliz. 18. to endure to the end of the next Parliament now next ensuing.

Butter and Cheefe bought to be sold againe.

1 That no Butter or Cheefe shall be transported to any forraine region without the Queenes licence, S. Corne 1.

2 For the weight of a wey of Cheefe, S. Weights, 6.

Buttes.

The inhabitants in euery Citie, Towne and place, are compellable to make and continue Buttes, vpon paine to forfeit for euery three moneths so lacking xx. s. And the said inhabitants shall exercise themselves with long Bowes, in shooting at the same, and elsewhere, on holy daies and other times conuenient. 33. H. 8. 9.

Cabels, Halsers, Ropes.

NO person or persons dwelling or inhabiting within the distance of five miles from the Towne or Borough of Burport in the Countie of Dorset, shall sell or cause to be sold out of the Market holden and to be holden within the same Towne & Borough of Burport, to any person or persons, any Hempe which shall happen to growe within the said five miles in distance from the said Towne or Borough, vpon paine of forfeiture of the said Hempe so sold or to be sold in any place or places within the distance of the said five miles out of the said Towne, Borough or Market, contrarie to the forme and effect of this statute. The one halfe of which forfeiture shall be to the Queene, the other to the J. to be recouered by action of debt, bill, or information, wherein no W. E. P. &c. 21. H. 8. 12. 39. Eliz. 18.

Hempe growing within five miles of Burport shall be sold there.

2 No person or persons other then such which shall dwell and be inhabitants within the said Towne of Burport, shall make out of the said Cables & Tangle of Hempe shall be made in Burport.

Twentie
pounds of
Hempe a stone.

Cables of old
stufte aboue
vii. inches.

Cables of old
stufte vnder
vii. inches.

Imprisonmēt.

Souldier ma-
king away his
horse or har-
neis.

to lorne any Cables, Halsers, Ropes, Traces, Halsers, or any other Tacle made of Hempe in any other place or places within the said distance of v. miles frō the said Towne, vpon paine of forf. of the same Cables, Halsers &c. made & to be made contrary to the forme & effect of this statute to the D. & J. to be recouered by A. B. J. wherein no W. E. P. &c. Provided that euery person dwelling within the said distance may make Cables, Halsers, Ropes, Traces & other Tacle for their owne vse & occupation, but in no wise against this Act. Provided alwaies that twentie pound weight shall be accounted to the stone 21. lb. 8. 12. 39. Eliz. 18. to continue to the end of the next Parliament now next ensuing.

3 If any person or persons shall make or cause to be made any Cables of any old and ouerwozne stufte, which shall containe aboue seuen inches in compasse: Then euery person so offending shall forfeite foure times the value of euery such Cable so by him or her made or caused to be made as is aforesaid. 35. Eliz. 8.

4 If any person or persons, shall tarre, or cause to be tarred any Halsers or other Cordage made within this Realme, of such old and ouerwozne stufte as is aforesaid, being of lesser assise, and not containing in compasse vii. inches, and shall after by way of retayle, sell, or put to sale, or cause to be sold or put to sale the same being so tarred: Euery person so offending, shall forfeit the treble value of euery Cable, Halser, and other Cordage, being of lesser assise, and made of such old and ouerwozne stufte, as is aforesaid, which shalbe so sold or put to sale, being tarred, as aforesaid, to the D. and J. to be recouered by A. B. P. or J. wherein no E. P. or W. &c. And furthermore, euery person which shall in any wise offend against the tenor and meaning of this Act, shalbe imprisoned for the same during her Maiesties pleasure. 35. Eliz. 8.

Captaines, Souldiers, Musters.

IF any Souldier seruing the D. in her warres, in any her dominions or on the sea, beyond the sea, or in Scotland, do sell, giue away, or wilfully purloine, or otherwise exchange, alter, or put away any Horse, Gelding, or Mare, or any harneis wherewith he shalbe set forth, then he (vpon due prooffe, or testimonie to be taken before the Lieutenant, hie Admirall, the Queenes Deputie, vice Admirall, Warden, or Captaine, and in their absence before any of their deputies) shall be imprisoned by the same Lieutenant, or any other befozenamed, there to remaine without baile or mainprise, vntill he hath satisfied to the owner of the Horse, Gelding, Mare, or harneis, so by him sold, purloined, exchanged &c. (And also the sayd sale made by such Souldier to any person knowing him to be a Souldier, shalbe void against him that set forth the said horse, harneis, and weapon. 4. & 5. P. & D. 2.) And if such souldier so offending, fortune to escape from the Lieutenant, & other the foresaid persons without the punishment & restitution aforesaid, then the same Souldier vpon complaint made

made by the partie griued, or his executors, or administrators, vpon due prooofe thereof to be made, to any Iustice or Iustices of peace in the parties where such Souldier shalbe found, shalbe by such Iustice &c. committed to ward, there to remaine without baile or mainprise, vntill he hath satisfied the partie griued, his executors or administrators, of, or for such horses, geldings, mares, and harneis so by him wilfully lost, exchanged, &c. 2. Ed. 6. 2. S. Iustice of peace 84.

2 But if the said Souldier bring any sufficient warrant or testimonie before the said Iustice, from the said Lieutenant, or any of the persons aboue named, in writing vnder the seale of any of them, testifying that the same Horse or Harneis were lost in the Queenes seruice, against the will of the said Souldier, or that the same horse or harneis were taken by the same Lieutenant, or any of the others before named from the same Souldier for any reasonable respect, and appointed to some other to serue in the place of the said Souldier, then euery such Souldier not bringing to the owner the said horse & harneis, shalbe discharged thereof against the said owner: And then euery such Souldier, to whom the said horse or harneis shalbe appointed as is aforesaid, (not bringing home to the owner the said horse & harneis after he shalbe discharged) shall suffer like paine as is aforesaid, 2. Ed. 6. 2.

If the horse or armour be lost in seruice or appointed to another.

He to whom the horse or armour is assigned, shall satisfy the owner.

3 If any Souldier, man of armes, or archer, which hath taken parcel of his wages of his Captaine, hath mustered, and is entred of record the Queenes Souldier, (or any mariner or gunner taking prest or wages, to serue y^e Queene, her heires, or successors on y^e sea, 5. Eliz. 5. 39. Eliz. 18.) doth not passe the sea, or go with his Captaine (except notorious sicknesse, or impediment by Gods visitation doth stay him, which he shall immediately certifie to his Captaine, & repay his money) or else being in the enemies countrey in garison, or elsewhere in the Queenes seruice where he is appointed to serue, doth depart without licence of the Queenes Lieutenant, Deputie, high Admirall, vice Admirall, Warden, Captaine, or in their absence of their deputies, then he shalbe taken, iudged, and executed as a felon, 18. H. 6. 19. 2. E. 6. 2. 4. & 5. H. & M. 3.

A souldier or gunner departing from his captaine without licence.

4 If any Captaine appointed to haue the order of any number of Souldiers, vnder any other higher Officer, doe for any cause licence any Souldier in his retinue, to depart fro the field, or fortresse where they shalbe appointed to serue without the special assent & licence in writing of the Lieutenant, Deputie, high Admirall, vice Admirall, Warden, Captaine, or in their absence of their deputies, he shal for fait to the Q. for euery such Souldier so licenced to depart xx. l. to be leuied of his goods and cattels, And if any Captaine do giue to any of his Souldiers, appointed to serue vnder him, in any Towne or Fortresse kept with garison of souldier, any licence or passport to depart from his seruice, but onely the Lieutenant or others before named, the Captaine and souldier so offending, shall be im-

A captaine licensing a souldier to depart.

prisoned

Captaines, Souldiers, Musters.

prisoned at the discretion of the said Lieutenant or others &c. 2. Ed. 6. 2.

A Captaine
doth discharge
one appointed
to serue.

5 If any Commissioner or Captaine, to whom the Queene shal direct her commaundement by commission, or letters, for the leuying or setting forth of any men to serue in her warres, shall for any reward or lucre discharge any person by him appointed to serue the Queene as Captaine, Souldier, or Pioner of his seruice so appointed, and do assigne any other person in his stead, for any lucre or gaine, then he so offending shall forfait to the Queene for euery such default, of euery man so discharged xx. l. to be leuied of his goods and cattels, 2. Ed. 6. 2.

A captaine de-
manding more
wages then
there is cause.

6 If any Lieutenant, Deputie, Admirall, Marden, Captaine &c. hauing the order of any number of Souldiers seruing vpon the sea, or land, do demanda, receiue, or take of the Queene or any of her Treasozers, any wages for any more souldiers, then serued in such maner & forme, as the wages was paid for, or for any more daies then such Souldiers serued, & do not note the day of euery souldiers entry into wages, and day of his death & departure, & deliuer the same to such Treasozers as shall pay the said wages euery moneth in wryting, so as the truth of the number of the Souldiers may appeare to the Queenes Treasozers, and master of the Musters, for the time being: Then euery such Lieutenant, Deputie, Admirall &c. so offending, shall forfait to the Queene for euery such default. v. l. and be imprisoned by the space of a moneth, and lose his office and rounth. But no Lieutenant, or other person aforesaid shall be charged or preiudiced for lacke of his number retained, for, or concerning any Souldier which shall happen to dye during his seruice, or to be sicke by the visitation of God, or that shall depart against the will of his Lieutenant or &c. vntlesse it shall be in default of any of them, 2. Ed. 6. 2.

Retaining of
wages.

7 This statute is not preiudiciall to the Lieutenant or any other the said persons, or any other, nor any of them, hauing vnder them retinue of Souldiers, for not paying the Queenes wages to their household seruants, & others to whom they shall daily find & giue meate & drinke, during the said seruice of warre, or for detaining any part of any of the Souldiers wages, toward, or for the payment of bitailes, harneis, weapons, or for any prest money prouided and deliuered to any such souldier, 2. Ed. 6. 2.

Causes to re-
taine the soul-
diers wages.

8 It is lawfull to euery Lieutenant, Deputie, Admirall &c. to retaine in his owne hands to his owne vse, of the wages of his Souldiers these summes following, that is to say, vi. s. viii. d. for the luerie, or coate of euery yeoman Souldier, xiii. s. iiii. d. for the luerie or coate of euery Gentleman Souldier for a whole peere, 2. Ed. 6. 2.

Reliefe of
friends or te-
nants toward
seruice in war.

9 This statute doth not charge any person for the receiuing of any gift or reward of any of his tenants or friends, towards the aid, help or reliefe of the same person, being commaunded by the Q. to serue in warres, or otherwise to finde men on horsebacke or on foote, as well within this Realme as without, nor for the gift, reward, aid, or helpe reserued, or couenanted

covenanted to be paid or giue to any person appointed to serue in warres, or to find horse or men to serue, by reason of any graunt, covenant reservation, custome or tenure, 2. Ed. 6. 2. But no person shall by colour hereof exact, demand, or leue any summe of money, horse, armour or other thing, or other then shalbe imploied forthwith in the present seruice of those warres of the Queene, for which it was leuied, the which summe of money, horse, armour, or other thing, or as much thereof as shal not be spent, lost or consumed in the said seruice, shalbe restored to such person as paid and deliuered the same, vpon the penalties and forfeitures aforesaid, 4. & 5. H. 8. and H. 3. *Quære* what these forfeitures be.

10 If a Lieutenant of an armie doth not in euery field vnder his charge, proclaim the whole effect and contents of this Act euery moneth, and euery of the Queenes deputies and Captaines of any Fortresse, proclaim it within his charge once euery quarter of a yere, he so offending, shall forfeit x. li. 2. Ed. 6. 2. *Proclamation of this Act.*

11 Euery person giuing to the Lieutenant, or the others aboue named, true information of any offence aboue remembred, shall haue for his labour one moneths wages of him that shalbe found faulty, to be paid by the hand of the Treasorer, vpon warrant of the Lieutenant or &c. 2. Ed. 6. 2. 4. and 5. H. 8. and H. 3. *The reward of the Informer.*

12 If any person which shalbe commanded, generally or specially, to muster before any such as shall haue authority or commandement for the same by or from the Q. her heirs or successors, or by any Lieutenant, warren or other person, authorized for the same, doth willingly absent himself from the same Muster, hauing no true & reasonable excuse of sickness or other lawfull impediment, or at his apparance at such Musters doth not bring with him such his best furniture, aray & armour, as he shal then haue for his owne person in a readines, he shal for euery such offence suffer ten daies imprisonment without baile or mainprise, by the commandement of such as shall haue authority to take the same Musters, vnles he do agree with the said commissioners, or two of them to pay to the vse of the Q. &c. for euery such offence x. s. for a fine, which fine after the agreement for the payment of the same, shalbe certified and estreated into the Exchequer, by such as haue power to take the said Musters, or two of them vnder their seales, within two moneths next after such agreement, and then shalbe leuied as fines assessed by Iustices of Assise or Gaol deliuey in their circuits are vsed to be, 4. and 5. H. 8. & H. 3. *Absenting from the Musters or not bringing his best furniture.*

13 No person inhabiting within any city, borough, or towne corporat, being a countie of it selfe, or in which any Iustices of W. bee or hereafter shalbe by charter, shalbe compellable by vertue of this act, to make his apparance with such furniture as is aforesaid, at any Muster to be had or taken out of the suburbs, precinct or liberties of the same citie, borough or towne, nor before any person or persons authorized by commission or otherwise *Dwellers in Cities shalbe mustered onely within the same*

Captaines, Souldiers, Musters.

wise as is aforesaid, vnles the Maior, or other head Officer of such city, borough, or towne, & one other discreete inhabitant of the same at the least, be ioyned in the same Commission or other authority with the same person or persons so authorised, 4. & 5. *H. 8.*

Mustermasters taking reward to discharge others.

14 If any person which shall be commaunded by the *Q.* her heires or successors, by commission, letters or otherwise authorised to leuy Muster, or make any men to serue in her warres, or otherwise for the defence of this Realme, doe by any meane exact, leuie, recetue or take, or cause to be taken any money, or other reward or thing whatsoever of any person for seruice in the wars, or that shalbe appointed, named, or mustered to serue in any such seruice, or for sparing, or discharging of such person from the said seruice, then he shal forfeit ten times so much as he shal receiue, exact, or take, to the *Q. & I.* to be recovered by *A. I.* &c. wherein no *W. C. H. &c.* But this act doth not take away or discharge any tenant or farmer of his seruice or couenant towards his Lord, for the finding of horse, armor, or weapon, or for doing of seruice by himselfe, or by any other (which by the tenure of his land otherwise he is bound to do) but he shal doe, yeld and pay the same &c. as befoze he should, 4. & 5. *H. 8.*

A Captaine doth licence his souldiers to depart, or doth not pay their wages.

15 If any Captaine, petit Captaine, or other hauing charge of men, for seruice in warre, shall for any aduantage or gaine by him to be receiued discharge or licence any of the men or souldiers (appointed to serue in the warre vnder his rule, or order) to depart from the same seruice, or shall not pay vnto his souldiers & to euery of them their full and whole wages, conduit, and coate money, within ten daies next after he shal haue receiued the same, then the party offending in giuing such licence or discharge, shal forfeit for euery such offence ten times the value of the thing so receiued to the Queene and *I.* to be recovered by *A. I.* wherein no *W. C. H. &c.* and shal also pay to euery such souldier from whom he shal withhold any such wages, conduit or coat money, treble the summe so withholden, 4. & 5. *H. 8.*

By whom offences shalbe reformed.

16 If any offence touching Captaines, petit Captaines, or other hauing charge of men, shalbe committed during the time that any armie or number of men, being vnder a Lieutenant, shall be assembled and continue together, or by any Captaine, &c. that shall serue any Lord, Warden, or other Chiefetaine, then vpon complaint thereof, the Lord Lieutenant, Warden, or other Chiefetaine, during the time of his commission, shal and may heare, order and determine the same offences by his or their discretions. And if any Captaine, petit Captaine &c. shall be once conuicted or ordered by vertue of this act, for any offence aforesaid, hee shall not be estones vered, troubled, sued or conuicted for the same offence, 4. & 5. *H. 8.* S. Iustices of peace 26.

An offence but once punished.

Euery parish charged with a weekly summe towards the relief of souldiers

17 Euery parish within this Realme of England, & Wales, shall be charged to pay weekly such a summe of money towards the reliefe of sicke,

sicke, hurt, and maimed Souldiers and Mariners, that haue since the 25. of March Anno Domini 1588. aduentured their liues, & lost their lims, or disabled their bodie in defence and seruice of her Maiesty, & the State, or shall lose their limmes, or disable their bodie, hauing bin prestred and in pay for her Maiesties seruice, as by the Iustices of peace, or the more part of them in their generall quarter Sessions to be holden in the seuerall countie next after the end of two moneths, from the last day of this present Session of parliament, and so from time to time at the like quarter Sessions to be holden about the feast of S. John Baptist yerely shall be appointed, so as no parish be rated aboue the summe of sixe pence, nor vnder the summe of one peny weekely to be payd, and so as the totall summe of such taxation of the parishes in any county, where there shall be aboue fifty parishes, amount not aboue the rate of two pence for euery parish in the same countie, which summes so taxed, shalbe yerely assessed by the agreement of the parishioners within themselves, or in default thereof, by the Churchwardens and the Constables of the same parish, or the more part of them, or in default of their agreement by the order of such Iustices of peace, as shal dwel in the same parish, or (if none be there dwelling) in the parts next adioyning. If any person shall refuse or neglect to pay any such portion of mony so taxed, it shalbe lawful for the said Churchwardens & Constables, or in their defaults, for the said Iustices of peace to leuie such summe by distress, and sale of goods or chattels of the partie so refusing or neglecting, rendring to the party the ouerplus raised vpon such sale. 35. Eliz. 4.

The taxation
or charge of e-
uery parish.

Refusing to pay
money taxed.

18 The Churchwardens of euery parish shall truely collect euery such summe, and the same shall pay ouer to the high Constable in whose diuision such parish shalbe situate, within x. daies befoze the said quarter Sessions, to be holden next after two moneths expired from this Session of Parliament, in the County where the said parish shalbe situate, and so from time to time quarterly, within ten daies befoze euery quarter Sessions. And euery such high Constable, at euery such quarter Sessions in such county shall pay ouer the same to two such Iustices of peace, or to one of them, as shalbe by the more part of the Iustices of peace of the same county elected, to be Treasurers of the said collection, which treasurers in euery county so chosen, shal continue but for the space of one whole yere, and then giue vp their charge, with a due accompt of their receipts & disbursements, at their meeting in quarter Sessions to such others, as shall from yere to yere in the forme aforesaid successiuelly be elected. 35. El. 4.

Churchwardens
shal collect
and pay to the
high Constables.

Two Iustices
Treasurers.

The Iustices
accompt.

19 If any Churchwarden or high Constable, or his executors or administrators, shall faile to make payment in forme aboue specified, then euery Churchwarden, his executors or administrators so offending, shall forsaite the summe of ten shillings, and euery high Constable, his executors or administrators the summe of xl. s. to be leuied by the Treasurers

Churchwarden
or high constable
failing in
payment.

Captaines, Souldiers, Musters.

Treasorer failing of his account, or neglecting his charge.

aforesaid, by distress & sale in maner befoze expessed, & to be taken by the said Treasurers in augmentation of their stock to the uses aforesaid. And if any Treasurer, his executors or administrators, shal faile to giue by his account, or shal be otherwise negligent in the execution of his charge, then it shalbe lawfull for the moze part of the Iustices of P. of the same county, in their Sessions to assesse such fine vpon such treasurer, his executors or administrators, as in their discretion shal seeme conuenient. 35. Eliz. 4.

To what treasurer the souldier or mariner shall repaire for reliefe.

20 Euery Souldier or Mariner, hauing had his or their limmes lost, or disabled in their bodies by seruice, being in her Maiesties pay, as aboue is mencioned, or such as shal hereafter retorne into this Realme hurt or mainned, or grieuouly sicke, shal repaire if he be able to trauel, & make his cōplaint to the Treasurers of the Counties out of which he was pressed, or if he were no prest man, to the Treasurers of the county where hee was abiding by the moze part of thzee yerres, befoze his departure to serue, or of the county where he was bozne at his election. And if he be not able to trauel, to the Treasurers of the County, where he shal land or arriue, and shal bzing a certificat, vnto any of the Treasurers aforesaid, vnder the hand and seale of the generall of the Campe, or Gouvernor of the Towne wherein he serued, and of the Captaine of the Band vnder whom he serued, or his Lieutenant, or in the absence of the said General or Gouvernor, from the Marshal or deputy of the Gouvernor, or from any Admiral of her Maiesties fleete, or in his absence from any other general of her Maiesties ships at the seas, or in absence of such General, from the Captaine of the ship wherein the said Mariner or souldier did serue the Q. Maiesty containing the particulers of his hurts and seruices, which certificat shalbe also allowed by the generall Muster master for the time being, residing here within this Realme, or receiuer general of the muster rols, The Treasurer & Comptroller of her Maiesties nauie, vnder his hand, for the auoiding of al fraud & counterfaiting, vpon which certificat such Treasurers as are befoze expessed, shal accordyng to the nature of his hurt & cōmendation of his seruice, assigne vnto him such a porcion of reliefe, as in their discretion shal seeme conuenient for his present necessity, vntil the next quarter sessions, at the which it shalbe lawfull for the moze part of the Iustices of P. vnder their hands, to make an instrument of graunt of the same or like reliefe to endure as long as this act shal stand in force, which shalbe a sufficient warrant to al Treasurers of the same County to make payment of such pention vnto such persons quarterly, except the same shal be afterwards by the said Iustices reuoked, so that such reliefe as shalbe assigned, by such Treasurers or Iustices of P. to any such souldier or Mariner, hauing not bozne office in the said wars, exceed not the summe in grosse nor yerely pention of x. li. nor to any that hath bozne office vnder the degree of a Lieutenant, the summe of x. li. nor to any that hath serued in the office of a Lieutenant, the summe of xx. li. 35. Eliz. 4.

Who shal make the souldier or mariners certificat.

Allowance of the certificat.

The treasurer shall assigne reliefe to the souldier.

Iustices of P. shal grant reliefe by instrument.

21 And whereas it must needs fall out, that many of such hurt & maimed souldiers and mariners, do ariue in ports and places far remote from the countie, whence they are by vertue of this act to receiue their perely annuities & pensions, as also they are prescribed by this act, to obtaine the allowance of their certificats, from the muster Master, or receiuer general of the muster rols, who commonly is like to abide about the court, or London, so as they shal need at the first, prouision for the bearing of their charges to such places. Therefore it may be lawfull for the Treasurers of the countie, where they shall ariue, in their discretion, vpon their certificate, though not allowed, to giue them any conuenient relief for their iourney, to carry them to the next countie, with a testimonial of their allowance to passe on towards such a place, And in like maner shall it be lawfull for the Treasurers of the next countie to do the like, & so from countie to countie, til they come to the place, where they are directed to find their maintenace according to the tenor of this statute. 35. Eliz. 4.

Souldiers ariuing far from the place where they are to haue reliefe.

22 Euery such Treasurers in their seuerall countie, shal keepe a true booke of computation, of all such summes as they leuie, & also a Register of the names of euery such person vnto whom they shall haue disbursed any reliefe, & shal also preserve or enter euery certificat, by warrant wherof such reliefe hath bin by them disbursed, & also the Muster master, or receiuer general of the Muster rolles shal keepe a booke, wherein shalbe entred the names of all such whose certificats shal be by him allowed, with an abstract of their certificats. 35. Eliz. 4.

The Treasurers booke.

23 If any Treasurer shal wilfully refuse to distribute and giue any reliefe, according to the forme of this Act, it shall be lawfull for the Iustices of peace in their quarter Sessions, to fine such Treasurer by their discretions, the same fine to be leuied by distress, & sale therof to be prosecuted by any two of them, whom they shall authorize. 35. Eliz. 4.

The Treasurer refusing to giue reliefe.

24 Euery Souldier or Mariner that shall be taken begging in any place within this Realme, or any that shall counterfait any certificate in this Act expressed, shall for euer lose his annuity or pension, and shall be taken, deemed & adiudged as a common rogue or vagabond person, and shall haue and susteine the same, and the like paines, imprisonment, and punishment, as is appointed and prouided for common rogues and vagabonde persons. 35. Eliz. 4.

The punishment of a souldier or mariner which is taken begging.

25 Al the surplusage of money, which shalbe remaining in the stock of any countie, shall by discretion of the more part of the Iustices of peace, in their quarter Sessions, be ordered, distributed and bestowed vpon such good, and charitable vses, and in such forme, as are limited and appointed in the statutes made in the 14. and 18. yerres of her Maiesties raigne, Intituled, an Act for the punishment of vagabonds, and for the reliefe of the poore and impotent, And an act for the setting of the poore on worke, and for auoiding of idlenes 35. Eliz. 4.

How the surplusage of the stocke shalbe bestowed.

Captaines, Souldiers, Mustres.

The chiefe officers in corporat Townes that execute this act

26 The Iustices of P. within any countie of this realme or Wales, shall not intromit or enter into any citie, borough, place or Towne corporate, where is any Iustice of P. for any such citie, borough, place or towne corporate, for the execution of any article of this Act, but it shalbe lawfull to the Iustice and Iustices of P. Maiors, Bailiffes, and other head officers of those cities, boroughs, places and townes corporate, where there is any Iustice of peace, to proceed to the execution of this act within the precinct & compasse of their liberties, in such maner as the Iustices of peace in any countie may do, by vertue of this Act, and euery Iustice of the peace within euery such citie, borough, place, or towne corporate, for euery offence by him committed, contrary to the meaning of this statute, shall be fineable as other Iustices of peace at large in the Counties are by this act appointed to be, and the Maior and Iustices of peace in euery such Citie, borough, place and towne corporate, shal haue authorizty by this Act, to appoint any person for receiuing of the said money, and paying of the same, within such citie, borough, place or towne corporate, which person so appointed, shal haue authorizty to do all such things, and be subiect to al such penalties as high Constables, by vertue of this Act, should haue or be. 35. Eliz. 4. 39. Eliz. 18. To continue to the end of the next Parliament.

A further taxation for the relief of souldiers

27 It shall and may be lawfull, to, and for the Iustices of peace, at their quarter Sessions, or the more part of them there being, in all Counties and places within this Realme, within their seuerall limits and diuisions, where they shall thinke, that the said former act hath not provided sufficiently, for the reliefe of the Souldiers and Mariners appointed to be relieved by the said former act, and not otherwise, to rate and take such further summes of money vpon euery parish, within their seuerall limits, for the better reliefe of those Souldiers and Mariners, as they shall thinke fit and conuenient, so as no parishe be rated aboue the summe of viii. s. nor vnder the summe of two pence, weekly to be paid, and so as the weekly taxation of the parishes in any County, where there shalbe aboue fiftie parishes, amount not aboue the rate of foure pence, for euery parish within the same County, And the same summes so to be rated and euery of them, shall be assessed, collected, leuied, paid and distributed, by the persons and in maner and forme as is provided and set forth by the said former act, vnder such & the like pains & penalties as are appointed or set forth by y^e same former act. And al for. to be forfeited by any Treasurer, Collector, Constable, Churchwarden or other person, for any cause mentioned in the said former act, or in this act, shall be imployed together with the stocke to be remayning, in any of the said Treasurers handes, to the charitable vses expessed and appointed in and by the former Statute, and to none other: And the said reliefe shall be giuen to such Souldiers and Mariners out of the County or place where they were expessed, so farre forth as the taxation limited by this Act will extend.

And

And if the whole taxation there, be already imployed according to the meaning of this Act, or that they be, or shall not bee prest men, then in the place where they were borne, or last inhabited by the space of three yerres, at his or their election. 39. Eliz. 21.

28 Provided alwaies, that if the said rate shall be thought, not to be sufficient for the reliefe of such Souldiers & Mariners as shalbe to be relieved within the Citie of London, then it shalbe lawfull for the Mayor, Recorder, and Aldermen of London, or the more part of them, to rate and take such reasonable tax, summe or summes of money for the said reliefe, as shall be to them thought fit and conuenient, So as such summe and summes of money so to be rated doe not exceed ii.s. weekly out of any parish, and so as in the same totall, the same shall not exceed viii. pence weekly out of euery parish one with another within the said citie and the liberties thereof. 39. Eliz. 21.

A prouision if the rate be not sufficient for the souldiers within London.

29 The Iustices of peace of euery Countie within this Realme, with in their seuerall limits, at their quarter Sessions, or the more part of them there assembled, shall from henceforth haue power and authorizty, yerely to elect, nominate and appoint, of themselves or other sufficient men of the same countie, valued by yere in the Subsidie booke at ten pounds in lands, or fortie pounds in goods at the least, Treasurers of the said Collection, which Treasurers so in euery countie to be chosen, shall continue, doe, performe, and giue vp their charge, and account, in such sort, manner, and fourme, & for such time as is set forth by the said former act, vnder such and the like paines and penalties, as are by the said former act appointed in that behalfe. 39. Eliz. 21.

Treasurers appointed by the Iustices of P.

30 The Iustices of peace in euery Countie of this Realme of England, within their seuerall limits at their quarter Sessions, or the more part of them, then there assembled, may vpon any iust cause, reuoke, diminish, or alter any portion or portions of reliefe, assigned or graunted to any such Souldier or Mariner, from time to time, according to their discretion. 39. Eliz. 21.

The Iustices may alter the reliefe of souldiers.

31 The Churchwardens and Constables of euery parishe, shall ioine in the collection and payment ouer to the high Constables, as is set forth in the said former Act, of the said summes to be taxed in their parish. And the said Churchwardens and Constables iointly and seuerally shall haue like authorizty and meanes, to leuy, collect, and gather the summes to be taxed by this Act, as they or either of them had to leuy the summes appointed by the said former Act: And if any petie Constable or Churchwarden, his executors or administrators, shall faile to make payment in forme as is set forth by the said former Act, then euery petie Constable & Churchwarden, his executors or administrators so offending, shal forfe. the summe of xx.s. to be leuied & imployed, in forme as the penalties, in & by the said former act expressed, are appointed to be leuied & imployed. 39. El. 21.

The Churchwardens and Constables shal ioine in election & payment.

The penaltie where the Constable or churchwarden doth faile of payment.

Conspiring to
take or destroy
any of the Q.
Castels or for-
tresses.

If any person do within this Realme, or elsewhere, unlawfully & of his owne authority, imagin, conspire, practise or deuise, by any practise or means, with force, or by craft, deuice or sleight, maliciously & rebelliously to take or keepe from the Q. any of her Castles, Towers, Fortresses, or Holds: or maliciously & rebelliously to raze, burne, or destroy any Castle, Bulworke or Fort, or any part of them, hauing any munition or ordinaunce of the Q. therein, or appointed to be garded with any Souldiers for the defence thereof, within any of the Queenes dominions, or the Marches of the same: And the same compasses, practises, or deuises, or any of them, shall and doe aduisedly, by any expresse words, speech, acte, deede or writing, expresse, better, or declare, for any of the malicious and rebellious intents asforesaid: Then he thereof being conuicted, shall be adiudged a felon, and so shall his aiders, counsailours, comforters, consentors, & abbetors knowing thereof. 14. Eliz. 1.

Withholding
the Queenes
Castels or
Ships.

2 If any person do with force, maliciously & rebelliously deteine, keepe or withhold from the Q. any of her Castles, Towers, Fortresses or Holds within any her dominions, or Marches of the same, or any of her ships, ordinaunce, artillery, or other munitions of fortifications of wars, and do not render and giue by the same to her Maiestie, or to such person as she shall appoint to receiue the same to her vse, within fixe daies next after he so offending shall be commaunded by the Q. open Proclamations vnder the great seale of England, to be made in any place or market towne within the countie where any such offence shall be committed: Or shall wilfully, maliciously and rebelliously burne or destroy, or cause to be burned or destroyed, any of the Q. ships, or maliciously & rebelliously bar, or cause to be barred, any Hauen within her Graces dominions, Then he being thereof lawfully conuicted, according to the Lawes of this Realme, shall be iudged a Traitor, and so shall his aiders, counsailors, & abbetors, and their offences in any of the premisses shall be adiudged high treason, 14. El. 1. to endure during the Queenes life.

Castel ward.

3 No Constable shall distraine any man to giue any mony for the keeping of a Castel, if he will do it himselfe, or procure any sufficient man for him. And if the Q. do carie him with her, or send him vnto her wars, he shall be free from Castel ward during the time that he is in the Q. host, for that fee for the which he did Knights seruice in the Armie, Magna Charta. 9. H. 3. 20.

1 What purueiance, and in what maner shall be made to vitaille a Castel. 5. Purueiours. 6.

Cardes for wooll.

No cardes for
wooll shall be
brought into
this Realme,

NO person or persons whatsoeuer shall bring, send or conuey, or cause to be brought, sent, or conueied, into this Realme of Englande or Wales, from the parts beyond the Seas, any Cardes for wooll to be sold, bartered or exchanged within the Realme of England or Wales, vpon paine

paine to forfeit all such cardes for wooll, so to brought, sent or conueyed, contrary to the true meaning of this Act, in whose hands soeuer they or any of them shalbe found, or the value thereof, to the Queene and him or them that wil seise the same or sue therefore in any of the Queenes courts of Record by A. B. P. J. or otherwise, wherein no W. C. P. &c. 39. Eli. 14. To endure vnto the end of the first Session of the next Parliament.

Cattell.

If any person do buy any oxen, ronts, steeres, kine, heifors, calves, sheep, lambs, goats, or kids liuing, & sel the same againe alieue (except he keepe & feed the same by the space of v. weekes in his owne house, ground, farme, or in such ground where he hath the herbage or comon of pasture by grāt or prescription) he shall forfeit the double value of the Cattell, or things so bought and sold againe, to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 5. Ed. 6. 14. 13. Eli. 25.

Buying of cattel & selling within five weekes.

2 If any person doe buy, or commune and conclude to buy any oxen, steeres, rontes, kine, heifors or calves, but only in the open faire or Market, where the same shall happen to be brought, & put to sale, (except it be for the prouision of his household, teeme, or dairie, or except it be a butcher which shall not sell the same againe alieue) or shall sel the same againe alieue, at or in the Market or faire where he bought the same during the time of the said faire or market, he shall forfeit the double value of the cattel &c. so bought or sold, to the D. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. 3. Ed. 6. 19. 39. Eli. 18. to continue to the end of the next Parliament now next ensuing.

No cattel shall be bought but in the faire or Market.

3 If any person which shall keepe or feede aboue the number of vi. score share sheepe, for the most part of the yere vpon his pastures, landes, feedings or farmes which be continually seuerall & meete for milch kine, (& wherein no other person 21. Octob. An. Do. 1555. had common for cattel any time of the yere) do not keepe for euery lx. share sheepe, one milch cow, & for euery vi. score share sheepe reare by yere one calfe, so long as he shall keepe or feede the said number of vi. score share sheepe, he shall forfeit for euery cowe not kept for euery moneth xx. s. and for euery calfe not reared xx. s. to the D. & J. to be recovered within one yere after the offence &c. by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & D. 3. 13. Eli. 25.

A Cow shall be kept for 60. sheepe, and a calfe for a 120.

4 If any person which doth keepe or feede vpon his seuerall pastures aboue the number of xx. oxen, ronts, steeres, scrubs, heifors, or kine, doth not for euery x. beasts keepe one milch cowe, & for euery two kine, weane & reare by yere one calfe (except it chance to die) he shall forfeit vt supra. Prouided that no person shall be compelled to keepe any kine, or reare any calves for such sheepe or other beasts which he keepeth & feedeth only to be spent in his house. 2. & 3. P. & D. 3. 13. Eli. 25.

A cow for ten beasts feede, & for two kine a calfe.

1 That no butcher shal buy any cattell and sell them againe alieue. See Butchers 1.

2 Within

Certificat of Conuicts.

2 Within what time cattel may be put into coppies woods. S. woods 22

Certificat of Conuicts.

Certificat into
the kings bech
of euery out-
lawry, attain-
der & conuiction.

If any Clerke of the Crowne, Clerke of the peace, or Clerke of Assise where any attainer, conuiction or outlawry of felony, shalbe befoze the Iustices of Peace, Gaole deliury, or Oier and determiner, do not certifie a brieft transcript, conteining the tenour and effect of euery Indictment, outlawry, conuiction, Clerke attaint, that is to say, the name, surname, and addition of euery person so indicted and thereupon outlawed, conuicted, or Clerke attaint, and the certainty of his felony, or other offence, and the day and place when and where it was done, the day and place of his outlawry, conuiction and attainer, into the kings Bench, within forty daies next after such attainer, conuiction or outlawry, (if the terme then be open) and if not, within xx. daies next after the beginning of the terme next following the said xx. daies: The said Clerk befoze whom such attainer: outlawry or conuiction, &c. shalbe made, shall for fait for euery such default of not certifying of euery such record xl.s. to the D. and J. to be recovered by A. J. &c. wherein no M. &c. E. P. &c. And the Clerk of y^e Crown in the Kings Bench shall receiue the same Certificates and transcriptes whensoever they shalbe tendred vnto him by any of the aforesaid clerks of the Crowne, of the Peace, or of Assise, or their deputies, vpon paine of forfaiture xl.s. for euery certificat by him refused. 34. H. 8. 14.

The Clerke of
the Crowne
shall receiue the
certificates.

The names of
those onely
which be at-
tainted, conuic-
ted &c. shalbe
certified.

2 But if there be moze persons named in any such Indictment other then such person attainted, conuicted or outlawed, then the said Clerkes shall certifie the transcript of such Indictment, outlawry, or conuiction, only concerning such person or persons, so indicted & attainted, outlawed, or conuicted into the King Bench, which transcript so certified, shall bee taken as effectuell in Law, to all intents against such person against who it shalbe objected or pleaded, as if the verie recozde thereof (whereupon he was indicted) were present. 34. H. 8. 14.

Clerke of the
Crowne shal
certifie the
name of con-
uicts to the
Iustices.

3 If the clerke of the Crowne in the Kings Bench for the time being doe not incontinently, and without delay certifie to the Iustices of gaole deliury, and Iustices of P. of euery county of this Realme (which shall wryte vnto him for the same) the names & surnames of such persons which be so attainted by outlawry, clerkes attainted, or conuicted, & certified into the kings Bench, and the causes why, & wherefore they were attainted or conuicted, he shall for fait for euery name so wrytten for, & not certified by him to the said Iustices xl.s. 34. H. 8. 14.

No certificat
out of Wales,
Chester, Laca-
ster, Durham.

4 This act shall not extend to the Clerke of the Crowne, Clerkes of the peace, Clerks of the Gaole deliury, neither to any of the Pzenotaries within the counties of Wales, & Chester, or within the Counties Palatines of Lancaster, & Durham, or any of them, to make any transcript of any such attainer, conuiction, or outlawrye of any person conuicted, attainted, or outlawed befoze the D. Iustices of her counties of Wales nor Chester

Chester, or countie of Lancas'er, Durham, or any of them, but the same Records shall & may remaine in the custody of the said clerkes and p'p'otaries in such maner as they are. 34. H. 8. 14.

Cessauit.

If a man do let his lands to farme, or to find Estouers in vitaille or clo-
thing, which amounteth to the fourth part of the very value of the land, Cessauit a-
gainst tenant
by fee farme. and he that holdeth the land so charged letteth the same lie fresh, so that a man can finde no distresse by the space of two or thre yerres, to compel the Farmor to doe or yeeld that which is contained in the w'riting, after the two yerres past the lessor shall haue an action out of the Chauncery to demaund the land in demesne. And if he against whom the land is demaunded, come befoze Judgement, & render the arrerages and damages, & find such suertie as the Court shall thinke sufficient, to pay from thencefozth that which is contained in the w'riting of lease, he shall retaine the land: And if he tary vntill it be recovered by Judgement, he shall be barred for euer after. Glouc. 6. Ed. 1. 4.

2 In like sort, if a man do detaine from his Lord his due and accustomed seruice by the space of two yerres, the Lord shall haue an action to demaund the land in demesne. And in both these cases, the heire of the demandant shall haue a writ of Entrie against the heire of the tenant, and against them to whom the land shalbe aliened. West. 2. 13. Ed. 1. 21. There see the fourme of the writ of Cessauit. Cessauit by the
Lord against
his tenant.

3 If lands giuen for the feeding of poore people or other Almes to be maintained or done, be aliened by those to whom they are giuen, if they were giuen by the Queene or any of her Progenitoz's, the lands shall bee taken into the Queenes hands and retained at her pleasure, and the buyer shall lose his recovery aswell of the lands as of the money which he paid. And if they were giuen by an Earle, Baron, or other person, he by whom or by whose auncestor the land so aliened was giuen, shall haue a writ of Contra formam collationis, to recouer the land in demesne. But if the land so giuen for sustentance of poore people or other Almes to be maintained or done, be not aliened, but such Almes is withdrawn by the space of two yerres, an Action shall lye for the donoz or his heire, to demaund the land so giuen in demesne, as it is ordeined in the statute of Gloucest. for lands leased, to render the fourth part of the value or more. Westm. 2. 13. Ed. 1. 41. Lands aliened
which were
giuen in almes.

Challenge.

None of the petit Jurie, nor other parties named in any bill of Attaint sued in the Hustings of London (holden for common pleas befoze the Maior and the Aldermen) vpon any vntrue verdict giuen in any of the Courts of the said Citie, shall or may haue any Challenge to the array, or to any person or Poll therein being impanelled, for lack of sufficient goods or lands. 11. H. 7. 21. See Attaint 14. Challenge in
a bill of attaint
sued in London

Challenge.

Challenge in a
writ of attaint
sued in London

2 Every person being a Citizen of the Citie of London, and in value of goods & cattels to the summe of CCC. markes, may be impanelled and returned by the Sherifes of the said Citie, in euery Attaint brought by writ by vertue of the statute of 23. H. 8. vpon verdict giuen by the Citizens of the said City, without any Challenge for the insufficiency of freehold of any of them, to be made by any of the parties in such Attaint. 37. H. 8. 5. S. Attaint 14.

Challenge in
London where
the thing in de-
mand is worth
xl. markes.

3 It is a principall Challenge in any of the Courts within the Citie of London in any suit where the lands or tenements, or action personall, wherein the debts or damages amounteth to xl. markes or aboue, that the party impanelled in the Enquest hath not lands, tenements, goods, or cattels, to the value of one hundred markes, if it be alleaged by any of the parties and so found. And no person shalbe impanelled, summoned, or sworne in any Jury or Enquest, in Courts within the same Citie, except he be of lands, tenements, or good and cattels to the value of xl. markes. 11. H. 7. 21. S. Jurors 16.

Reins deins le
gard.

4 The Challenge commonly called (Reins deins le gard) within the Citie of London, shalbe no Challenge, but utterly void. 7. H. 7. 4.

Challenge for
the Queene.

5 If a man Challenge a Turie, or a Juroz for the Queene, he shal shew cause of his Challenge forthwith, which cause shal immediatly be tried by the Iustices discretion, whether it be true or not. 33. Ed. 1.

Challenge of
the Indictor.

6 No indictor shall be put in the Enquest vpon the deliuerance of the partie indicted of Trespasse or felony, if he which is indicted doth Challenge him for that cause. 25. E. 3. 3. S. Jurors 3.

Challenge
wher the thing
in demanda is
worth xl.
markes.

7 It is a good Challenge for the partie, where an Enquest is taken vpon the death of a man, or betwixt party and party in any plea reall or personall, where the debt or damage doth amount to xl. markes, to say that any impanelled, hath not lands or tenements to the yerely value of xl. s. aboue all charges. 2. H. 5. 3. But this statute is to be intended onely of Enquestes to be had betwixt Denizen and Denizen, and not where triall is to be made Per medietatem linguæ where an Alien is one partie, according to the statute of 28. Ed. 3. 13. 8. H. 6. 29. And euery person being the Queenes natural subiect borne, which by any name doth enioy the liberties of any Citie, Borough, or Towne corporat, where he dwelleth and maketh his abode, being worth in moueable goods to the clere value of xl. pounds, shall be admitted in triall of murders and felonies in euery Sessions and Gaole deliuey holden for the Liberties of euery such Citie, Borough or Towne corporat, albeit he hath no freehold. 23. H. 8. 13. See Jurors 15.

Inhabitant of
towns corporat

Challenge by
one arraigned
by special com-
mission.

8 If a Commission of Oyer and determiner bee directed into any Countie for the triall of any person which doth confesse any treason, misprision of Treason, to murder, to thre of the Queenes Counsell, or is vehement suspected thereof, no Challenge for the Shire or Hundred shall be

be allowed unto him. But the Challenge of any Iuroꝝ foꝝ lack of freehold of the yerely value of xl.s. shalbe allowed 33. H. 8. 23. Neither shal he haue any Challenge to the hūdoꝝ, which is arraigned foꝝ any offence committed vpon the Sea, oꝝ in any other place, where the Admiral hath iurisdiction, befoꝝe Commissioners thereunto authorized by the Queenes Commission vnder the great Seale. 28. H. 8. 15.

Challenge vpon arraignment of Piracy.

9 He that is arraigned of Treason, Murder, oꝝ manslaughter committed within the verge, shall haue no manner of Challenge to any of the Iurie (malice onely excepted) 33. H. 8. 12. Neither he which being the D. seruant swoꝝne, and whose name is in the Chequer rolle of the Queenes household, vnder the degree of a Lord, which is arraigned foꝝ conspiring with any other to destroy any Lord of this Realme, oꝝ any other swoꝝne to the Queenes Counsell, oꝝ the Steward, Treasorer oꝝ Comptroller of the Queenes house. 3. H. 7. 14.

Challenge by one arraigned foꝝ offence committed within the verge.

Challenge by one that conspireth any Lords death.

10 Peremptory Challenge shall not be allowed in any cases of high Treason, oꝝ imprisonment of high Treason. 33. H. 8. 23.

No Peremptory challenge in Treason.

11 No person arraigned foꝝ any Petit treason, murder, oꝝ felony, shall be admitted to any Peremptory challenge aboue the number of twentie. 22. H. 8. 14. 32. H. 8. 3.

No peremptory challenge in murder.

12 The party indicted and arraigned of any of the offences prohibited by the Act (prouided Anno 23. Eliz. against Seditious wordes and rumours vttered against the Queene) shall haue aduantage of all manner of Challenges to the Iurie, as in triall of felony is vsed. 23. Eliz. 2. See Newes 8.

Challenge. Seditious words.

13 If he which is impleaded foꝝ land by any ecclesiastical person, doth make default, whereby iudgement ought to be giuen against him, if the Court doe inquire by Iury of the Countrey, whether the demandant had right in the landes demanded oꝝ not, euery Lorde of whom the same lands be holden shall be allowed to challenge the Iuroꝝ of the same inquisition, and so shall any man foꝝ the Queene that will. Westm 2. 13. Ed. 1. 33.

Challenge vpon an inquisition of collusion.

1 That vpon the triall of any issue in a personall action no Challenge foꝝ the hundred shalbe allowed, if two sufficient Hundredors do appeare See Iurors 19.

Chester, Cheshire.

The Law and administration of Iustice, and all other thinges in the County of Chester in times past vsed to be had at the Shire daies, shall be holden, had, made, done, and executed by the Iusticer of the sayd County foꝝ the tyme being, at two times in the yere onely, that is to say, at the Sessions next after the feast of Saint Michael, and at the Sessions next after Easter, during so many daies at euery of the said times as need shall require, in like manner and forme, as it is vsed and executed in the County Palatine of Lancaster. 32. H. 8. 43. And the said two Sessions shall

Sessions kept in Chester two times in the yere.

Chester, Cheshire.

shall and may be holden at such time and times, as by the said Justice or his Deputie shall be appointed, as well before the said feasts of Easter and Michaelmas, as any other time, according as is commonly used in other Shires of this Realme, so alwaies open Proclamation be thereof made, by the space of xv. daies at the least before the first day of the keeping of the same Sessions. 33. H. 8. 13.

**Two Knights
and two Bur-
gessees for the
Parliament
in Chester.**

2 The Countie palantine of Chester shall haue two knights for the said Countie, and two Citizens to be Burgessees for the Citie of Chester, to be elected for euery Parliament by proces awarded by the Chaunceloz of England, to the Chamberlain of Chester, his Lieutenant, or Deputie. And like proces to be made by the said Chamberlain, or &c. to the Sherife of the Countie of Chester. And the election shall be made, in like maner & forme to all intents as is used in other Shires and Cities, and euery of the said Knights and Burgessees so elected, shall be returned into the Chauncerie of England by the Sherife in due forme, vpon like paine as other Sherifes of other Shires &c. And euery of the said Knights and Burgessees shall haue like voice, authoritie, liberties, priuiledges, wages, fees, & commodities as other Knights and Burgessees of the same Court of Parliament enioy, vse, and haue. 34. H. 8. 13.

**An Inhabitant
of the County
of Chester that
committeeth fe-
lony or murder
in an other
Shire.**

3 If any person of the County of Chester, resiant in the same Countie do commit any murther or felony in any place out of the same Countie, proces shall be awarded against him by the Common law vnto the Exigent, in the Countie where the offence was committed: And if he flye from thence into the county of Chester, and be outlawed for the said murther, or felony, the same outlawry or exigent shall be certified vnto the Officers of the County of Chester, and the felon shall be taken by the same Officers, and his landes, tenementes, goods and cattels, within the same County of Chester, shall be seised as forfeit to the Queene, or him which shall be Lord of the said County of Chester for the time, and the Queene shall haue the yere, day and wast, and the other lands, goods, &c. of such felon, being out of the said County, shall be forfeit to the Queene and other Lords which haue franchises. And in the same maner it is of any person of the said County, resiant or dwelling in the same Countie, which committeeth Bateria, or other Trespasse in another Countie, and then flyeth into the County of Chester, his goods shall be forfeit, &c. and if he be outlawed, the outlawry shall be certified to the same Officers of Chester, and his person shall be taken, and his goods and cattels shall be forfeit &c. vt supra. 1. H. 4. 18.

Protection.

1 That no protection shall be granted to any person within the Countie of Chester, without the Queenes special warrant. S. Protection 5.

Proclamation.

2 For Proclamation vpon Exigents to be awarded against any person dwelling in the Countie palantine of Chester, or the Citie of Chester. S. Exigents 6.

3 That

3 That euery Sherife of the County of Chester, and of the Citie of Chester, shall haue a deputy in the Kings Bench, and Common place. S. ^{Deputies,}

Exigents 7.

4 That fines may be leuied before the high Iustice of Chester, his de- ^{Fines.} putie or Lieutenant, of lands being within the County palantine of Chester. S. Fines 13.

5 That a *Tales de circumstantibus* is grauntable in the County of Chester, where a full Iury doth not appeare. S. Iurors 23, 25. ^{Tales.}

6 In what sort, and by whom the Commission of Sewers shall be directed within the fees of the County palantine of Chester. S. Sewers 18, 19. ^{Sewers.}

7 For statutes to be acknowledged before the Maior of Chester, See ^{Statutes.} Statutes 1.

8 How Offices found in the Countie of Chester, shalbe receiued and certified in the Court of Wards. S. Offices 7. ^{Offices.}

9 That two Coroners shalbe for Cheshire, and for their authoritie. S. ^{Coroners.} Coroners 20.

10 For Inrolments of bargaines and sales of landes in the Countie of Chester. S. Inrolments 4, 5. ^{Inrolments.}

11 Where the Sherifes Countie Court of Cheshire shall be kept, See County 2.

12 For inrolling of Fines and recoueries in the County of Chester. S. Fines 29, &c.

Cheirographer, and Custos Breuium.

The Cheirographer of the Common place, his farmor, deputy, or lieutenant, shall not take any moze then iiii. s. for any fine leuied in the same Court. And if the farmor, deputy, or lieutenant, do take any moze, he shall for fait his office, be excluded the same Court, suffer one yerres imprisonment, and pay to the party griued his treble damages, and the partie griued shall haue his suit befoze the Iustices of the same Court. 2. H. 4. 8. West. 2. 13. Ed. 1. 44. ^{The Cheirographers fee, upon euery fine.}

2 All writs of Couenant, and all writs whereupon fines shalbe leuied, with the writs of Dedimus potestatem (if any be) with all knowledges, and notes of the same, befoze that they bee drawen out of the Common place by the Cheirographer, shall be inrouled in a roule to be of Record for euer, to remaine in the safe custodie of the chiefe Clerke of the Common place, and of his successors, for the olde fee of xxii. d. accustomed to be paid to the chiefe Clerke, for the entring of the Record of euery fine, without paying any moze, to the intent that if the notes in the custody of the Cheirographer, or the fines be imbeasiled, a man may haue recourse to the said roule, to haue execution, as he should haue, if the fines were not imbeasiled. 5. H. 4. 14. ^{Inrouling of writs in the common place whereupon fines be leuied.}

1 That the Cheirographer shall make a Table containing the content of euery fine, and what he shall haue for the same, S. Fines 25.

Scitation,

No person shall be cited to appear out of the Dioces where he dwelleth.

Exceptions.

IF any person be cited, summoned, or otherwise called to appeare, by him selfe, or his procurator, before any Ordinary, Archdeacon, Commissary, Official, or other Judge spiritual, by vertue of his Office, or at the suit of any person, out of the Dioces or peculiar Jurisdiction, where the party cited, summoned, or called, dwelled at the time of the same Citation awarded, the said Ordinary, Archdeacon, &c. shall forfeit to the party so cited double damages and costes for veration, to be recovered by action of debt, or action vpon the case, by A. B. P. &c. and also shall forfeit x. li. to the D. and Informer, to be recovered by A. J. &c. wherein no W. &c. C. P. &c. (except it be for any Spiritual offence, or cause committed, done, forflowed, neglected, or committed by any Bishop, Archdeacon, or other person hauing Spiritual iurisdiction, or being a Spiritual Judge, or by any other person within the Dioces, or Jurisdiction, whereunto he shalbe cited, or otherwise lawfully called to appeare and answer: Or except it be by or vpon matter or cause of appeal, or for other lawfull cause, wherein any partie shall find himselfe griued or wronged by the Ordinarie, Judge or Judges of the Dioces or Jurisdiction, or by any of his Substitutes, or Ministers, after the matter or cause there first commenced and begun, to be shewed to the Archbishop or Bishop, or any other hauing peculiar iurisdiction, within whose Province the Dioces or place peculiar is: Or in case that the Judge dare not, or will not conuent the partie to be sued before him: Or that the Bishop of the Dioces or the Judge of the place, within whose Jurisdiction, or before whom the suit by this Act should be commenced and prosecuted be party, directly or indirectly to the matter or cause of the same suit: Or that any Bishop, or any inferiour Judge hauing vnder him Jurisdiction in his owne right and title, or by Commission, doe make request or instance to the Archbishop, or other superiour Ordinary or Judge, to take, treat, examine, or determine the matter before him or his Substitute, and that to be done in cases onely where the Ciuill or Canon Law doth affirme execution of such request or instance of Jurisdiction, to be lawfull or tollerable: Or except it be for Testaments to be proued before the Archbishop of Canterbury, by reason of his prerogative, or for Testaments to be proued before the Archbishop of Yorke within his Jurisdiction, by reason of any prerogative. 23. H. 8. 9. I. Eliz. 1.

Archbishops may cite for heresie.

2 It is lawfull for any Archbishop of this Realme to cite, call, and summon any person dwelling in any Bishops Dioces within his Province, for causes of Heresie, if the Bishop or other Ordinarie immediate thereunto consent, or doe not his dutie in the punishment of the same. 23. H. 8. 9. I. Eliz. 1.

iii. s. for the scale of a Citation.

3 If any Archbishop, Bishop, Ordinary, Official, Commissarie, or other person hauing Spiritual Jurisdiction, or any Substitute or Minister of his doe aske, demand, take, or receiue more then iii. s. for the Scale of

of any Citation, he shall pay to the partie of whom &c. double damages and costes, and shall forfait for euery offence x. li. to the Queene and Informer &c. to be recouered by A. J. &c. wherein no *W. &c. E. P.* &c. 23. H. 8. 9. 1. Eliz. 1.

Clapboord, Caske, &c.

Any Beere into the partes beyond the Seas, to be sold or erchaunged for other marchandise, shall (if he be a Stranger) then before the same transporting, (if he be a Subiect bozne) then either before the same transporting, or wythin fower monethes after, bring, or cause to be brought into this Realme, from the partes of beyond the Seas, for euery five Tunnes of Beere, two hundred of Clapboord, fit for to make caske of, to containe in length three foote and two ynches at the least: Or els the same caske againe, or so much other good & sweete caske in quantitie, and the same to be entred at the Custome house without any colouring: Or if the same transporting shall be into the Realme of Ireland, then to bring in maner and forme as aforesaid, so much of Shaffold boord in quantitie as the Clapboord amounteth vnto. 35. Eliz. 11.

For Beere transported, Clapboord or caske shall be brought in.

2 No Stranger bozne shall ship, carie, or transport beyond the Seas any Pilchers, or other fish in caske, vntesse the same person haue before such shipping brought, or caused to be brought into this Realme from the partes beyond the Seas, for euery five tunnes of Pilchers, or other fish, according to the rate and maner aforesaid, of Clapboord fit for caske, or els of caske as aforesaid, vpon paine of forfeiture of the said Beere, Pilchers, and Caske, that shall be shipped or laden to be transported into the partes of beyond the Seas. 35. Eliz. 11.

Clapboord shall be brought in for fish transported.

3 It shall not be lawfull for any person or persons, to transport, or carie any wine caske out of this Realme, with any Beere or Beereager, nor any wine caske shaken, and sell the same beere or beereager, or caske, Except for the victualling of any Ship or portable vessell, or of any of her Maiesties garrisons and forces in the partes beyond the Seas, vpon paine of forfeiture of the summe of xl. s. for euery tunne of Caske so caried or transported. Provided alwaies that this Act, or any thing therein contained, shall not extend to the transportation of any Herrings whatsoever in Caskes. 35. Eliz. 11. 39. Eliz. 18. This Act to continue to the end of the next Parliament.

Transporting of wyne caske.

Clergie.

NO person shall haue the priuiledge of his Clergie which shall be indicted, or appealed for felonious taking of any money, goods, or catels from the person of any other, priuily without his knowledge in any place whatsoever, and thereupon found guilty by verdict of xii. men, or shall confesse the same vpon his arraignment, or will not answer directly to the same, according to the Lawes of this Realme, or shall stand wilfully

Cutpurse.

Clergie.

Wilfully, or of malice, or obstinately mute, or challenge peremptorie about the number of twentie, or shall be vpon such Indictment or Appeale outlawed. 8. Eliz. 4.

Deteyning the
Queenes Ca-
stels.

2 Noe he which unlawfully conspireth, compasseth, imagineth, practiseth, or deuileth by any meanes with force, sleight, or deuice, to take, or keepe from the Queene any of her Castles, Towers, Fortresses, or holdes, or maliciously and rebelliously to rase, burne, or destroy any Castell, Bulwark, or Fort, or any part of them, hauing munition or ordi- nance of the Queenes therein, or appointed to be garded with Souldi- ers for the defence thereof, within any of the Queenes dominions, or the Marches of the same, and the same conspiracies &c. aduisedly by expresse act, words, or wryting doth declare, for any of the malicious and rebel- lious intents aforesaid. Noe which is an ayder, counsailler, comforter, consentor, or abetter, knowing thereof, to any such offender, and is of any of the said offences lawfully conuicted. 14. Eliz. 1. to endure during the Queenes life. S. Castels 1. Felonie 4.

Refusing to ab-
iure, not going,
or returning.

3 Noe he which by the Statute prouided (An. 35. Eliz. 1. to retaine the Queenes subiects in due obedience) or by the Statute made (An. 35. Eliz. 2. for the restraint of Popish Recusants to some certaine places of abode) is to be abiured, which shall refuse to make such abiuration, as by the said Statutes is appointed: Or after such abiuration, shall not go to such Hauen, and within such time as is appointed, & from thence depart forth of the Realme according to the said statute: Or after his departure, shall returne and come againe into any the Queenes Realmes or Domi- nions without her speciall licence in that behalfe first had and obtayned. 35. Eliz. 1. 35. Eliz. 2. S. Recusants 19. 33.

Coniuration,
Witchcraft.

Witchcraft.

4 Noe he which doth practise inuocation, or coniuration of wicked spirits for any intent, or Witchcraft, Enchauntment, Charme, or Sor- cerie, whereby any person shall be killed, or destroyed. Noe which doth the second time practise Witchcraft, Enchauntment, Charme, or Sor- cerie, wherby any person shall be consumed, or lamed in his body or mem- ber, or wherby any goods of any person shal be wasted, or impaired, being once conuicted of the said offence befoze. Noe which is an ayder or coun- sailer to any of the said offenders, and is of any of the said offences law- fully conuicted. 5. Eliz. 16. S. Coniuration 1. 2. 3. Felonie 6. 7. 8.

Buggerie.

5 Noe he which doth commit Buggerie with mankind or beast, and is thereof conuicted by verdict, confession, or outlawrie. 25. H. 8. 6. 5. El. 17. S. Felonie 9.

Commaunde-
ment of Felo-
nies.

6 Noe he which doth maliciously commaund, hire, or counsell any person to commit petit Treason, or wilfull Murder, or to do any Robbe- rie in any dwelling house, or in, or neere any high way, or within the Mar- ches of England, against Scotland, or wilfully to burne any dwelling house, or any part thereof, or any barne then hauing Cozne therein, and is thereof

thereof outlawed, or otherwise attainted, or convicted, or being arraigned do stand mute of malice, or do challenge peremptorie aboute twentie, or will not aunswere directly to such offence. 4. & 5. H. and H. 4.

7 For he which is indicted, arraigned, and attainted, or refuseth lawfull triall in a Countie where he was taken with the maner, and whereunto the goods stolen in a forrein Countie were conveyed, if so be that he might not haue had his Clergie in the other Countie where the goods were stolen. 25. H. 8. 3. 5. Ed. 6. 10.

Attainted
where the
goods were
caried.

8 For he which being once convicted, or condemned of any of the offences prohibited by the statute provided 5. Eliz. against the forging of Evidences & writings, by any of the waies in the same statute limited, shall after any his such condemnation, eftsoones commit any of the said offences in forme in the said statute expressed. 5. Eliz. 14. S. Forger &c. 4.

Forger of
deedes.

9 For any Souldier seruing the Queene in her warres, in any of her Dominions, or on the Sea, or beyond the Sea, or in Scotland, or in any Garrison, which departeth without licence of the Lieutenant, High Admirall, Viceadmirall, Wardein, or Captaine, and in their absence, of their Lieutenants. 2. Ed. 6. 2. S. Captaine 3.

Souldier.

10 For he which is attainted by confession, verdict, or outlawrie, for any felonious Rape, Rauishment, or Burglarie, or for unlawfull and carnall knowledge, and abuse of any woman child vnder the age of ten peeres. 18. Eliz. 6.

Rape.
Burglarie.

11 For any person of the age of fourteene peeres or above, calling himselfe an Egyptian, or being in company with them, or counterfeiting, or disguising himselfe by his apparell, speech, or other behaviour like vnto the vagabonds calling them selues Egyptians, and so doth continue, at one, or severall times by the space of a moneth. 1. & 2. H. and H. 4. 5. Eliz. 20. S. Egyptians 2.

Egyptian.

12 For any person which is attainted of any of the offences made felony by the statute provided 23. El. 2. against Seditious words & rumors uttered against the Queenes Maiestie. 23. El. 2. See Newes 5. 6. 7.

Seditious
words.

13 For he which doth commit any wilfull Murther, or wilful Poisoning of malice prepenced: For which doth robbe any person, in or neere vnto the high way: For which doth steal any horses, geldings, or mares, (or any horse, gelding, or mare 3. Ed. 6. 33.) For he which is accessory to such felonie before such felonie done or after 31. El. 12. For which doth feloniously take goods out of any Church or Chappell. For which doth break any house by day or by night, any person being in the same, and thereby put in feare, or doth robbe any person in any part of his dwelling house, or dwelling place, the owner or dweller in the same house, his wife, his children, or seruants, being then within the same house or place where the robbery was done, or in any other place within the precinct of the same house, or dwelling place, and then being waking or sleeping:

Wilfull murder.
Poisoning.
Robbing in the
high wayes.
Stealing of
horses.

Robbing of
Churches.

Robbing of
houses.

Clergie.

Robbing of
booths.

For which doth robbe any person being in a tent or booth, in a faire or market, the owner, his wife, children, or any servant then being within the same booth or tent, whether they then, and there being, shalbe sleeping or waking, and is of any of the said offences in due forme of Law attainted or convicted, or being indicted or appealed of any of the same offences, and thereupon found guilty by verdict, or shall confesse the same upon his arraignment, or will not answer directly according to the Lawes of this Realme, or shall stand wilfully, or of malice mute. 23. H. 8. 1. 32. H. 8. 3. 1. Ed. 6. 12. 5. Ed. 6. 9. S. Faikes &c. 8. If any person or persons shall be found guilty, and convicted by verdict, confession, or otherwise, according to the Lawes of this Realme, for the felonious taking away in the day time, of any money, goods, or cattel, being of the value of five shillings, or upwards, in any dwelling house, or houses, or any part thereof, or any outhouse, or outhouses belonging, and used to and with any dwelling house or houses, although no person shall be in the said house or outhouses at the time of such felony committed: then such person & persons shall not be admitted to the benefit of his or their Clergie, but shall be utterly excluded thereof. 39. Eliz. 15.

Robbing of a
house in the day
time, wherein
there is no per-
son.

Receiuing or
relieving any
Iesuite or
Priest.

14 For he which doth wittingly and willingly receiue, relieue, comfort, ayde, or maintaine any Iesuite, Seminarie Priest, or other Priest, Deacon, or Religious, or Ecclesiasticall person whatsoever, being bozne within this Realme, or any other the Queenes highnes Dominions, and heretofore (since the feast of S. Iohn the Baptist Anno primo Eliz.) ordeined, made, or professed, or hereafter to be made, ordeined, or professed by any authoritie, or iurisdiction, deriued, challenged, or pretended from the Sea of Rome, being at libertie, or out of hold, knowing him to be a Iesuite, Seminarie Priest, or such other Priest, Deacon, or Religious or Ecclesiasticall person, as is aforesaid. 27. Eliz. 2. S. Iesuites 3.

Clergie allow-
able in al other
cases.

15 In all other cases of Felonie, other then such as be before mentioned, euery person which shall be arraigned, or found guilty upon his arraignment, or shall confesse the same, or shall stand wilfully, or of malice mute, or will not answer directly, shall haue and intoy the priuiledge of his Clergie and Sanctuarie, in like maner, as he should haue done before the xxiii. Aprill An 1. H. 8. 1. Ed. 6. 12.

Clergie allow-
able but once.

16 Euery person (not being within Orders) which once hath bin admitted to the benefit of his Clergy, being eftsoones arraigned of any such offence, shall not be admitted to haue the priuiledge of his Clergie. And euery person convict shall be marked by the Bailor openly in the Court before the Iudge. 4. H. 7. 13. Such as be within holy Orders shall be and stand vnder the same paines and damages for their offences &c. and be used and ordered to all intents, as other persons not being within holy Orders shall be. 28. H. 8. 1. 32. H. 8. 3. Attamen vide 1. Ed. 6. 12, and 1. & 2. H. and H. 8, et Quare.

A convict per-
son marked.

Orders of the
Church.

Quare.

17 Every person that by any Statutes or Lawes of this Realme ought to haue, or be admitted to the benefite of his Clergie, shall be admitted to his Clergie, although he hath bin sundrie times married to any single woman, or single women, or to any widow, or widowes, or to two wiues, or moe. 1. Ed. 6. 12. Bigamus allowed his Clergie.

18 Every person which shall vpon his arraignment for any felonie be admitted to his Clergie by the Lawes of this Realme, and shall before the same admission haue committed any other offence, whereupon Clergie by the Lawes and Statutes is not allowable, and not being thereof before indicted, and acquitted, conuicted or attainted, or pardoned, shall and may be indicted, or appealed for the same, and thereupon ordered & vsed in all things according to the Lawes, in such maner as though no such admission of Clergie had bin. 8. Eliz. 4. And euery person which shall be admitted to haue the benefite of his Clergie, shall notwithstanding his admission to the same, be put to aunswere to all other Felonies whereof he shall be indicted, or appealed, and not being thereof before acquitted, conuicted, attainted, or pardoned, and shall in such maner and forme be arraigned, tried, adiudged, and suffer such execution for the same, as he should haue done if (as Clerke conuict) he had bin deliuered to the Ordinarie and there had made his purgation. 18. Eliz. 6. He that is allowed his Clergie shall answer to former offences.

19 In euery case where any of the Queenes subiects may vpon his prayer haue the priuiledge of Clergie, as a Clerke conuict, that may make purgation, in all those cases, and also in euery case of Felonie wherein the priuiledge of Clergie is taken away by the Statute of 1. Ed. 6. wilfull murder, and popsoning of malice prepenesd onely except (videlicet, for breaking of any house &c. robbing any person in or neere vnto the high way, stealing of Horses, or robbing any Church or Chappell) a Lord of the Parliament, and Peere of the Realme, hauing place and voice in Parliament, shall of common grace vpon his request, alleaging that he is a Lord, or Peere of the Realme, and clayming the benefite of this Statute, though he cannot read, without any burning in the hand, losse of inheritance, or corruption of blood, be taken, and vsed for the first time, onely as a Clerke conuict, which may make purgation, without any further, or other priuiledge of Clergie, to any such Lord, or Peere, from thenceforth at any time after, for any cause to be allowed. 1. Ed. 6. 12. A Lord of the Parliament.

20 Every person which shall be admitted to haue the benefite of his Clergie, shall not thereupon be deliuered to the Ordinarie as hath bin accustomed, but after such Clergie allowed, and burning in the hand, shall forthwith be enlarged, and deliuered out of prison by the Iustices before whom such Clergie shall be graunted. But the said Iustices shall and may for the further correction of such persons to whom Clergie shall be allowed, deteine them in prison for such conuenient time as the Clergie allowed without deliuerie to the Ordinarie.

Clerke of the Market.

Clerke of Assise.

same Iustices shall think conuenient, so as the same do not exceede one yeeres imprisonment. 18. Eliz. 6.

1 That none shall haue the benefit of his Clergie which doth take away any maide, widow, or wife against her will. S. Women 12.

2 In what cases the benefit of Clergie shall be taken from wandering souldiers or mariners. S. Mariners 4. 5. 6.

Clerke of the Market.

Clerke &c. shall take no common fine.

The Clerke shall haue his weights with him.

Clerke &c. of the Queenes house shall vse the office with in the verge, & none other.

The Clerke of the Market of the Queenes house, shall take no common fine, but euery person which is found in default touching the same office, shall be punished according to his deserts. The said Clerke shall ride but with sixe horses at the most, and shall not carrie in any towne or other place, longer then the necessitie of his businesse doth require, and if he do any thing contrarie to this statute, and is thereof duely conuicted, he shall pay to the Queene at the first time C. s. at the second time x. li. and at the third time xx. li. 13. R. 2. 4. The Clerke of the Market shall haue all his weights & measures signed according to the Standart of the Eschequer with him, when he goeth to assay weights and measures. And he nor none other shall vse any other weight or measure. 16. R. 2. 3.

2 In all places wheresoeuer the Queene in her owne royall person shall come to rest, tarrie, abide, or make her repose within any her Dominions, within liberties, or without, there and within the verge limited or accustomed to her Court, during the time of her abode, her Graces Clerke of the Market, and none other during the same time, aswel within liberties as without, shall exercise the office of a Clerke of the Market: any priuilege, graunt, allowance, or other thing to the contrarie therof notwithstanding: But this shall not be preiudiciall to the Citie of London: But the said Citie may vse such liberties as they might befoze &c. 27. H. 8. 24. 32. H. 8. 20.

Clerke of Assise.

No Clerke of Assise during the onely time of the Session, of or for any Assises or Nisi prius, shall be of counsell with any person within any circuit, whereof he shall be Clerke of Assise, otherwise then to that office onely appertaineth, vpon paine to forfait for euery time offending to the contrarie x. li. to the Queene and P. griued, to be recovered by A. J. &c. wherein no W. E. P. &c. 33. H. 8. 24.

1 That the Clerke of Assise may execute his office in the Countie where he was borne or doth dwell. S. Iustices of Assise 2.

Clerke of the Signet, or Priuie seale.

The Clerkes fees for Warrants.

Every Clerke of the Signet and Priuie seale, shall take for his writing of a Warrant vpon a bill of Tales of reward xii. d, for the writing of a warrant of a gift for euery Officer xx. d, for the writing of a warrant for a pencion, annuities, or wages xx. d, for the writing of a war-
rans

rant for a speciall Liuerie, or other perpetuities vi. s. viii. d. for writing of a warrant upon every bill for a Conge de l'ier, Royall assent, restitution of Temporalities, Donatives, Advocations, Presentations, or other Ecclesiasticall matter iii. s. iiii. d. for the writing of every warrant upon a Placard, licence, pardon, or Shirifes reward ii. s. for the writing of every warrant upon a Denizen iii. s. iiii. d. for the writing of a warrant for keeping of an Idiot xx. d. for the writing of a warrant for keeping of a Ward iii. s. iiii. d. And no Clerke of the Signet or Priuie Seale shall take for the writing of any Warrant aboue specified more large fees, then before is appointed, upon paine to forfeit x. li. to the Queene & Informers, to be recovered by Action, Information &c. wherein no W. &c. E. P. &c. 27. H. 8. 11.

Clerke of the Peace.

Every Custos Rotulorum, for the time being, shall at all times in every Shire of this Realme, Wales, and other the Queenes Dominions, Marches, and Territories of the same, assigne every person which shall be Clerke of the Peace, within any of the said Shires, Dominions, Marches, and Territories of the same, and graunt the same office of the Clerkship of the peace to such able person instructed in the Lawes of this Realme, as shall be able to exercise the same, to enjoy the same during the time that the said Custos Rotulorum shall exercise the said office of Custos Rotulorum, so that the said Clerke demeaneth him in the said office fully and honestly. And it shall be lawfull to every such grauntee of the said Clerkship, to occupie the same office by himselfe, or his sufficient Deputie instructed in the Lawes of this Realme, so that the same Deputie be admitted by the Custos Rotulorum, to be sufficient and able to exercise and enjoy the same office. 37. H. 8. 1.

Custos rotulorum shall appoint Clerk of the peace.

Clerke of the peace may make a deputie.

1 The fees of the Clerke of the peace, for every recognisance and licence granted to every Badger, Lader, Drouer, &c. See Badger.

2 For the Clerke of the peace his fee, and ductie, for the Inrolment of any deede. S. Inrolments 2.

Collector.

Every graunt, patent, or writing that shall be made to any person by any Archbysshop, or Bysshop alone, or by any of them, and confirmed by Chapter seale of the office of Collector of the Tenthes peere due to the Queenes Maiestie within the Dioces & Bishoppick of the graunto, by reason of the statute of First fruits and Tenthes, shall abide in his force no longer time then the graunto shall remaine Archbysshop or Bysshop of the same Sea, whereof he was possessed at the time of his said graunt: any confirmation of the said graunt, custome, law, or statute &c. notwithstanding. 7. Ed. 6. 4. 1. Eliz. 4. See for Collectors, Accomptants and debtors to the Queene.

1 How Collectors of dismes accompting in the Eschequer may be

Common.

Commissions, Commissioners.

charged in the same, or other Courts, to answer to other. S. Accomptants to the Queene 49.

2 That the lands, goods, &c. of Vndercollectors of Tenthes and Subsidies be chargeable to the Q. for the satisfying of their receipt. S. Accomptants to the Queene 40. 41.

3 Collectors for the repairing of Bridges, their receipt, charge, and accompt. S. Bridges 3. 4.

4 The duetie, receipt, charge, and accompt of the Collectors for the poore. S. Poore 2. 5. 6. 21. 25. 26.

5 For the duetie, receipt, charge, and accompt of Collectors for the making of prisons. S. Prisons 1. 2.

Common.

Where one hauing no right to common, vsurpeth common, what time an heire is within age, or what time a woman is couert, or whilest the pasture is in the hands of tenants in dower, by the curtesie, or otherwise for terme of life, or yeeres, or in fee taile, and the pasture be long vsed, many hold opinion, that such pastures ought to be said appurtenant to freehold, & that the possessor ought to haue action by a writ of Nouel disseisin, if he be deforced of such pasture. But from henceforth this must be holden for Law, that such as haue entred within the time that an Assise of Mortdauncester hath lyen, if they had no common before, shall haue no recoverie by a writ of Nouel disseisin, if they be deforced, *Westm* 2. 13. *Ed.* 1. 46. S. Approuements.

Commissions, Commissioners.

Commissioners not receiving the commission, discharged upon their oathes.

Where a Commission is directed to any person to heare and determine, or to inquire & certifie, which Commissioners neuer knew of the said Commission, neither yet the same euer came to their hands, if the same Commissioners be distrained by proces forth of the Eschequer for issues lost by reason of the said commission, they may take their oathes before the Barons of the Eschequer, of their excuse and discharge of the receipt or occupying of the said Commission. And also the Barons of the Eschequer, and the Iustices of the one Bench, and the other, haue power by writ of Dedimus potestatem, to receiue such oathes in the Countrey, and therof to certifie the Barons into the Eschequer, wherupon the Barons shall discharge the said Commissioners: And in like sort it shall be done for the heires, executors, or land tenants of the said Commissioners. But such oathes shall not be taken but in cases of Commissions to heare and determine, and to inquire and certifie. 7. H. 4. 11.

Bankrupts.

1 For the authoritie of Commissioners which are to inquire of Bankrupts, and what they shall doe in euery respect. S. Bankrupts. S. 2. &c.

Sewers.

2 For all the authoritie of the Commissioners of Sewers, and what in each respect is to be done by force of the said Commission. S. Sewers 1. &c.

- 3 In what cafes Commiffions fhall be directed to enquire of Puruei-
ors behaiour. S.Purueiors 18.
- 4 Where one Commiffion of the Peace fhall not be fupersedias to
another. S.Iuftice of peace 110.
- 5 For Commiffions to enquire of offences done vpon the fea, and for
the Commiffioners authoritie. S.Piracie 1.2.4.
- 6 That Purueiors fhall fhew their Commiffions to them, ofwhome
they take any thing. S.Purueiors 3.
- 7 For the fubftance, forme, and continuance of Commiffions graun-
ted to Purueiors. S.Purueiors 25.26.27.31.
- 8 Where Commiffions fhall be graunted to enquire of Iuftices of Riots.
peace and Sherifes defaults for not enquiring of Riots. S.Riots 6.
- 9 In what cafes Treafons may be tried in any Countie, by the Treafon.
Queenes fpeciall Commiffion. S.Treafon 9.
- 10 In what cafe a Commiffion fhall be graunted to enquire of the Villaines.
mifdemleanor of Villaines. S.Villaines 1.
- 11 In what cafe a Commiffion fhall be graunted vpon an Appeal Appeales.
out of an Archbyfhops Court. S.Appeales 5.
- 12 That no fuit before certaine Iuftices and Commiffioners fhallbe
difcontinued by a new Commiffion. S.Discontinuance of proces 6.
- 13 For Commiffions vpon Appeales vpon ciuill or marine caufes.
S.Appeales 8.
- 14 For the Commiffion for executing spirituall iurifdiction and the
Commiffioners authoritie. S.Queene 3.
- 15 For Commiffions to enquire of concealments made by officers
accomptable in the Elchequer. S.Accompt to the Qu. 53.
- 16 Commiffions graunted to enquire for money gathered for hou-
fes of correction or Stocks for the poore. S.Vagabonds 13.
- 17 Commiffions graunted to enquire of the mifemployement of lands
or goods geuen to Hofpitals or other godly vfes. S.Hofpitals 10.

Condition, Couenant.

AS well all and euery person and perfons, and bodies politike, their
heires, fucceffors, and assignes, which haue any gift or graunt of
King Henry the eight, by his letters Patents, of any Lordships, Ma-
noys, lands, tenements, rents, parfonages, tithes, portions, or any other
hereditaments, or of any reuerfion or reuerfions of the fame, as alfo all
other perfons being grauntees or assignees, to or by the faid King, or to or
by any other person or perfons, then the faid King Henry the eight, & the
heires, executors, fucceffors, and assignes of euery of them, fhall and may
haue, and enioy like aduantages againft the leffees, their executors, admi-
niftrators, & assignes, by entrie for nonpayment of the rent, or for doing
of waft, or other forfauere, and alfo all and euery fuch like, and the fame
aduantage, benefite, and remedies by action onely, for not performing of
other

Grantees of
reuerfions fhall
take aduan-
tage of condi-
tions and con-
nants againft
the leffees.

Condition. Condite. Coniuration, &c.

other conditions, couenants, or agreements contained & expresse in the Indentures of their said leases, demises, or graunts, against all and euery the lessees, fermors, and grauntees, their executors, administrators, and assignes, as the said lessors or grauntors themselves, or their heires or successors ought, should, or might haue had and enioyed at any time. 32.H.8.34.

Lessees shall haue the same aduantage against the grauntees in reuerſion that they might haue had against the grauntors.

2 All fermors, lessees, and grauntees, of Lordships, manors, lands, tenements, rents, parsonages, tithes, portions, or any other hereditaments for terme of yeeres, life, or liues, their executors, administrators and assignes, shall and may haue like action, aduantage, and remedy against all and euery person and persons and bodie politique, their heires, successors and assignes, which haue or shall haue any gift or graunt of any person or persons of the reuerſion of the same manors, lands, tenements, and other hereditaments so letten, or any parcell thereof, for any condition, couenant, or agreement contained, or expresse in the Indentures of their lease or leases, as the same lessees, or any of them might and should haue had against the said lessors and grauntors, their heires or successors (all benefits and aduantages of recoueries in value, by reason of any warrantie in deede, or in law by voucher or otherwise onely excepted) 32.H.8.34.

1 Conueiance of land, lease or rent with condition of reuocation or alteration. S.Fraudulent deeds 7.

Condite.

If any person do wilfully, maliciously, and unlawfully cut, or cause to be cut out the head or pipe of any condite of any other persons, he shall lose to the partie grieved treble damages, to be recouered by action of trespass, and shall forfeit to the D. r. li. for a fine. 37.H.8.6.

Coniuration, Enchantment, Witchcraft.

Coniuration is felonie.

The vse, practiſe, or exercise of any Inuocations, or coniurations of euill and wicked spirits, to, or for any intent or purpose, is felonie, and the offenders, their ayders, and counsellors be felons. 5.Eliz.16.

Witchcraft whereby any person is killed

2 The vse, practiſe, or exercise of any Witchcraft, Enchantment, Charme, or Sozterie, whereby any person shall be killed, or destroyed, is felonie, and the offenders, their ayders and counsellors be felons, 5.Eliz.16.

Witchcraft whereby any person shall be lamed, or his goods destroyed.

3 If any person shall vse, practiſe, or exercise Witchcraft, Enchantment, charme, or sozterie, whereby the bodie or member of an other shall be wasted, consumed, or lamed, or his goods or cattels destroyed, wasted, or impaired, or shall be counselling or ayding to the same, he shall for the first offence be imprisoned a whole yeere without baile or mainprise, and once euery quarter of the said yeere stand vpon the Pillorie, vpon some Market or Faire day by the space of sixe houres, and shall openly confesse his errour and offence. And for the second offence being as is aforesaid lawfully

lawfully conuicted or attainted, he shall suffer death as a felon, Saving The inheri-
tance and wines
dower saved. to the wife of any offendor in felonie by this statute her title of dower, and to the heire and successors his title in inheritance, succession, and other rights, as though no such attaindor had bene, 5. Eliz. 16.

4 If any person shall take vpon him by witchcraft, enchantment, Declaring by
witchcraft,
where any
treasure, or
stollen things
be, and prouo-
king to loue, charme or sorcerie, to declare in what place any treasure of gold or silver might be found in the earth, or other seuerall place, or where things lost or stollen should be found, or become, or shall practise by enchantments, charme, or sorcerie, to the intēt to prouoke any person to vnlawfull loue, or to hurt or destroy any person in his body, member, or goods, & being thereof lawfully conuicted, he shall for the first offence be imprisoned by the space of a yeere without baile or mainprise, and shall once euery quarter of the said yeere stand vpon the Pillorie vpon the Market or Faire day sixe houres, & confesse his offence openly &c. and so being once conuict, he shall for his second offence being thereof conuicted, forsaite to the Queene all his goods and cattels, and be imprisoned during his life, 5. Eliz. 16.

1 That Clergie is taken away from him which is attainted of Coniuration, Witchcraft, &c. S. Clergie 4.

2 The penaltie for seeking to know by witchcraft, coniuration, calculation &c. how long the Queene shall liue or reigne. S. Newes 7.

Conspiracie.

Conspirators be they which bind themselves by oth, couenant, or o- Who be Con-
spirators. ther alliance, that euery one shall helpe & maintaine others purpose, falsly, and maliciously to indite, or to moue or maintaine suites: And also that cause Infants to appeale other of felony, whereby they are imprisoned and much grieved: And such as retaine men in the Countrey with liueries, or fees, to maintaine their lewde enterprises, and to subuert the truth, as well the takers as the giuers: And Bailifes & Stewards of great Lords, which by their seigniozie, office, or power, do vndertake to maintaine or vphold other quarels or suites, then such which concerne their Lords, or themselves, 33. Ed. 1.

2 A man shall haue a writ out of the Chauncerie against Conspirators, false Informers, & Imbraccours of Assises, Enquests, and Iuries: The punish-
ment of Con-
spirators. & also Iustices of either Bench, & of Assise, when they come into the Countrey to take Assises, shall make enquirie thereof vpon any mans plaint without writ, & shall without delay do right to y^e plaintifes, 28. Ed. 1. 10.

3 Appeles and Inditements of treason and felony, supposed to be done in places where there be no such places in the same Countie, be void, & also the proces thereupon awarded: And they which be indicted or appealed, may haue a writ of Conspiracie against their Inditors, Procurores, & Conspirators, and shall recouer their dammagages, and the Inditors, Procurores, & Conspirators, shall be imprisoned, make fine and ransome to the Queene by the Iustices discretion, 9. H. 5. 1. 18. H. 6. 12. Conspiracie
vpon appelles,
&c. of felony
committed in a
place supposed
where there is
no such.

Conuocation. Corne and Graine.

1 For Conspiracies or agreements made by Artificers, touching selling their vitales or doing their workes, S. Artificers 1. 2. Corporation 7.

Conuocation.

The Clergie at the Conuocation shall haue such liberties as they which come to the Parliament.

The Clergie shall not put in vze any constitutions without the Queenes assent.

All the Clergie which be called to the Conuocation by the Queenes writ, and all their seruants and familiars, shall fully vse, and enioy such libertie, or defence in comining, tarrying, and returning, as the great men, and commons of the Realme haue, or are woont or ought to enioy, which are called to the Parliament, 8. H. 6. 1.

2 The Clergie, nor anie of them shall presume to attempt, alleage, claime, or put in vze, any constitutions, or ordinances prouinciall or synodall, or anie other Canons, nor shall enact, promulge, or execute any such Canons, constitutions, or ordinances prouinciall by whatsoever name or names they may be called in their conuocations (which alwaies shall be assembled by authoritie of the Queenes writte) vnesse the same Clergie may haue the Queenes royall assent, and licence to make, promulge, and execute such Canons, constitutions, and ordinances prouinciall or synodall, vpon paine of euery of the said Clergie doing contrary to this Act, and being thereof conuict to suffer imprisonment, and make fine at the Queenes will. 25. H. 8. 19. 1. Eliz. 1.

Assemblies for religion shalbe onely within England.

3 No person resiant in any of the Queenes dominions, shall depart out of the said Dominions to or for any visitation, cōgregation, or assemblies for religion, but all such visitations, congregations, and assemblies shall be within the Queenes Dominions, 25. H. 8. 21. 1. Eliz. 1.

Corne and Graine.

No Corne, Butter, cheefe, Beere, Herring, Wood, shalbe transported without licence.

NO person shall transport out of this Realme, by any Ship, Crayer, or other vessell, into any place beyond the Seas, or into Scotland, any Wheate, Rie, Barley, or other Corne or Graine, growing within this Realme, or any Hault made within the same, or any Beere, Butter, Cheefe, Herring, or Wood, (except onely, to & for the victualing & furniture of Berwicke, & the Marches of the same) without lawfull authoritie so to do, vpo paine that the owner of the said Corne, Butter, Cheefe, Herring, & Wood, to forfeit the double value of the same so caried to the D. & J. to be recovered by A. J. &c. wherein no W. &c. E. J. &c. And the Master and Mariners of euery of the said Ships &c. for euery such offence to forfeit all their goods, and to be imprisoned one whole yeere without baile or mainprize, And the owner of the said Ships &c. to forfeit, to the Queene and Informer &c. the said Ships, Crayers, and other vessels, with all their apparell to them belonging, wherein the said Corne &c. shall be so transported, 1. & 2. H. 8. 5. But no forfeiture of Ship, Crayer, or other Vessel, or of anie apparell of the same, nor anie other penaltie, shall be extended against anie owner of anie Ship, Craier, or other Vessel, for the transporting of anie Corne or other things aforesaid, vnesse the same owner shall be witting, knowing, aiding, or consenting to the prohibited transporting,

transporting, 5. Eliz. 5. 27. Eliz. II. 35. Eliz. 7. But it is lawfull to anie of the Queenes subiects to transport out of this Realme in the Vessels of anie subiects with crosse sayles euery kinde of Herring and Sea fish, to be taken vpon the Seas by anie of the saide subiects, 5. Eliz. 5. 13. Eliz. II. 8.

Sea fish transported.

2 If anie person doe carie and conuey away by Boate, Craier, or other vessel, or otherwise, any Wheate, Rie, Barley, Malt, or other corne or Graine, or anie Beere, Butter, Cheese, Herring, or Wood, to anie ship or vessel being on the Seas, or within anie Hauens, Creeke, or other place of the border of this Realme, to be transported beyond the Seas, or into Scotland, without sufficient authoritie so to do, then euery owner of the said victuals, corne and other things abouesaid so transported, and the owner of euery such Boate, or vessel, and the Boatmen and Mariners of the same, shall forfait and suffer all such paines & penalties as are aboue rehearsed, to the Q. & I. &c. to be recouered by A. I. &c. wherein no W. &c. C. P. &c. 1. & 2. P. & M. 5.

No corne &c. shalbe caried to any ship to be transported.

3 If anie person shall obtaine of the Q. her heires or successors, anie licence to transport any corne, victuall, or wood beyond the Seas, if he or any other to whom he shall giue, grant, or sell his said licence, shall carie or cause to be caried any moze corne, victuall, or wood, then shalbe conteined in his said licence, he shall forfeit the treble value of the said corne, victuall or wood, so transported without sufficient authoritie, and shall suffer imprisonment for one whole yeere without baile or mainprise in the common gaole, where he shalbe apprehended. 1. & 2. P. & M. 5.

He that hath licence to transport, cariethe o-uer moze then is conteined in his licence.

4 No person that shall haue anie such licence for transporting anie corne, victuall, or wood, beyond the Seas, shall ship the same, or any part thereof at sundry places within this Realme, but at one place certeine, vpon paine of forfeiture of the same, and all his goods and cattels, to the Queene and I. &c. to be recouered by A. I. &c. wherein no W. &c. C. P. &c. 1. & 2. P. and M. 5.

He that hath licence to transport corne &c. shall lade it at one place.

5 This act shall not extend to anie persons for the necessary victualling of anie ships, or other vessels, either shall it be preiudiciall to the Lord Admirall of England, for the time being, or to the Queenes Iurisdiction of the admiraltie, but the said Admirall or his deputies shall vse and execute all kind of iurisdiction belonging to the Sea, according to his or their commissions. 1. and 2. P. and M. 5.

Victualling of shippes.

6 When the price of Cornes or Graines exceedeth not the Rates hereafter following, at the times and Hauens and Places where and when the same Corne or Graine shalbe shipped or loaden: viz. the quarter of Wheate at xx. s. of Rie, Pease, and Beanes at xiii. s. iiii. d. the quarter of Barlie or Mault at xii. s. of currant English money. Then it shalbe lawfull for all and euery person and persons being subiects of her Ma-iestie, her heires or successors, to loade, carie, or transport anie of the said Cornes

Corne of certain prices may be transported.

Corne and Graine.

Corne or Graines (onely out of such Portes or Creekes as by the Queenes Proclamation shalbe appointed, and not elsewhere) into anie partes beyond the Seas to sell as a Marchandize in Ships, Craiers or other vessels, whereof anie English bozne Subiect then shalbe the onely owners. 5. Eliz. 5. Provided alwaies, that the Queene, her heires and successors, may at all times by her and their writte of Proclamation to be published generally in the whole Realme, or in anie of the Countiees of the Realme, where any Port townes are, commaund, that no person shall by vertue of this Act, transport or carie anie manner of graine out of her Highnes dominions generally, or out of anie speciall Portes to be in the same Proclamation particularly named, for such time as shalbe therein limited and appointed. And it shall not be lawfull for anie person to carie out any such graine, contrarie to the Tenor of the same Proclamation, vpon such paines and forfeitures, as by the lawes & Statutes of this Realme are and haue bene provided and ordeined in that behalfe: This Act &c. notwithstanding. 35. Eliz. 7. S. Customs 4.

Corne may be transported whē the prices be allowed reasonable by the Lords Presidents, or Iustices of Assise or Peace.

7 It shall be lawfull to all persons, being subiects of the Queene, her heires and successors, and inhabiting within her Dominions, (onely out of such Portes and Creekes, where are, or shalbe resident a Customer or Collector of Subsidie of Tonnage, and Bondage, or one of their deputies, and not els where) to load, carrie, or transport any Wheate, Rie, Barley, Malt, Pease, or Beanes, into any partes beyond the Seas, being in amitie with this Realme, and not prohibited by anie restraint, or Proclamation, onely to sell as a marchandize in Ships, Crayers, or other vessels bearing crosse sailes, whereof any English bozne subiects inhabiting within her Highnesse Dominions then shalbe the onely owners, at all such times as the seuerall prices thereof shal be so reasonable in the seuerall Countiees, where any such transportation shall be intended, as that no prohibition shall be made either by the Queene, her heires or successors, by Proclamation to be made in the Shire, Towne, or in any Port Townes of the Countie, or els by some order of the Lord President, & Counsell in the North, or the Lord President and Counsell in Wales, within their seuerall iurisdiccions, or of the Iustices of Assises, at their Sessions in other Shires out of the iurisdiction of the said two Presidents and Councils, or by the more parte of the Iustices of the Peace of the Countie at their quarter Sessions in this maner following. That is, the said Lords Presidents and Counsels for the Shires within their iurisdiccions, the Iustices of Assise at their seuerall Sessions (in other Shires out of the said iurisdiccions, belonging to the said Counsels in the North, and in Wales) peerely shall vpon conference had with the Inhabitantes of the Countrey of cheapenesse and dearth of anie of the said kindes of Graine within the Countiees, within the iurisdiccions of the said Counsels, or in the other Countiees, within the limittes of the said Iustices of assise,

by

by their discretion determine whether it shalbe meete at any time to permit any graine to be caried out of the Realme, by any Port within y^e said severall iurisdiccions or limits, & so shal in w^{ri}ting vnder their hands and seales make a determination, either for permission or prohibition, and the same cause to be by the Sherife of the Counties published & affixed in as many accustomed market Townes and Portes within the said Shire, as they shal thinke conuenient, & in such maner, as the Queenes Proclamations are vsually published & affixed, which determinatioⁿ of the said Presidents & Counsels in their iurisdiccions, & of the Iustices of Assise in their limittes shal continue in force for the time, place, & maner therein expressed, vntill the said Presidents & Counsels shal otherwise order, or vntill the Iustices of Assise, at their being in their said circuittes, in euery of the said Counties shal alter, or otherwise order the same, except the same shal be otherwise in the meane time altered or countermaunded by the Q. her heires or successors, or by some order of the Iustices of peace in the Counties scituated out of the iurisdiccions of the said two Counsels, in their quarter Sessions to be holden in the meane time, or the greater part of them, which shal find the same determinatioⁿ of the Iustices of assise to be hurtfull to the Countie by meanes of dearth, or to be a great hinderance to tillage by the meanes of too much cheapenesse, & shal by their w^{ri}tings vnder their hands & seales, make any determinatioⁿ to the contrary, either for permission or prohibition of cariage of anie kind of Graine out of the Realme, and the same determinatioⁿ shal cause in like maner to be published & affixed as aboue is said, which determination shal also continue in force, except the same shal be altered by the Q. her heires or successors, or vntill the Iustices of Assise at their being in their said Circuittes in euery of the said Counties afore to them limited, shal alter, or otherwise order the same, who shal & may vpon new conference had, from time to time, alter the said determinations in the whole, or in the part, as to their discretions shal seeme meete, and the same shal also cause to be published as is befoze prescribed: But neither any of the said Presidents & Counsels, nor the said Iustices of Assise, nor the said Iustices of peace, shall publish any their determinations aboue mentioned, vntill the same shal be first by w^{ri}ting notified to the Queene, or to her priuie Counsell, & by her Haie- tie or her priuie Counsell shalbe liked and allowed, 13. Eliz. 13.

No determination published without the Queene or her Counsels assent.

8 The Q. her heires and successors, may at all times by her w^{ri}t of Proclamation to be published generally in the whole Realme, or in the Counties of the realme, where any Port Townes are, commaund that no person shall by vertue of this Act transport any Graine to any parts out of her dominions, either generally out of any Port in the realme, or particularly out of any speciall Ports to be in the same Proclamation named, and it shall not be lawfull for any person to cary out any such Graine, contrarie to the tenor of the same Proclamation, vpon such paines as by the

The Queene may restraine transporting of Cornie by Proclamation,

lawes

lawes of the Realme are and haue bene prouided, 13. Eliz. 13.

A restraint of
bringing corne
into this
Realme.

9 Whosoever shall bring into any Port, or place of this realme, any Wheate, Rie, or Barley, which is not growing within the Queenes dominions, at any time when the quarter of Wheate doth not exceede the price of vi. s. viii. d. the quarter of Rie iiii. s. the quarter of Barley iii. s. within the port or place, where such Graine shall be brought, shall forfeit the said graine to the Q. and him that will seise the same. But this Act extend not to anie Wheate, Rie or Barley, taken by any of the Queenes liege people vpon the Sea, without fraud or couin. 3. Ed. 4. 2.

He that buyeth
corne for chage
of his seede
must bring in
as much to the
same market.

10 If any person hauing sufficient corne for the prouision of his house & sowing of his ground for one yeere, doth buy any corne in any faire or market, for the change of his seed, and doth not bring to the same faire or market, the same day, so much corne as he shall buy for his seed, and sell it (if he can) as the price of corne then goeth in the said faire or market, Then euery such person so buying corne for seede, shall forfeit double the value of the corne so bought, to the Q. & J. &c. to be recovered by A. J. &c. wherein no W. &c. E. D. &c. 5. Ed. 6. 14. 13. Eliz. 25. For the custome of corne transported. See Custome 4.

Corpus cum causa.

If a Corpus cum causa, or Certiorari, be awarded to remooue the body of any person which is condemned in any of the Queenes Courts, and the cause into the Chancerie, the prisoner shall be remanded continually to remaine in prison without being let to baile or mainprise, untill he hath agreed with the plaintife for the summe adiudged. 2. H. 5. 2.

2 He that sueth to defeat an execution vpon a statute staple, & thereupon commeth into the Chancerie by Corpus cum causa, and there hath a Scire facias against the partie, vpon that defeisance or such like, he shall find suertie aswell to the Queene, as to the partie seuerally, to yeeld his bodie, or pay the money, if the matters comprised in the Scire facias be not found or adiudged for him. 11. H. 6. 10.

Corporations, Maiors, and head officers of the same.

No new ordi-
nances with-
out consent of
the Chancelloz
or Iustices.

NO Masters, Wardens, & fellowships of Crafts or Mysteries, nor any of them, shall take vpon them to make any acts or ordinances, ne to execute any by the heretofore made, in disheriting or diminution of the prerogative of the Q. nor of other, nor against the common profite of the people, but if the same acts or ordinances be examined & approued by the Chancelloz, Treasurer of England, or chiefe Iustice of either benches, or thre of them, or before both the Iustices of Assise in their circuits or progresse, in the shire where such acts or ordinances be made, vpon paine of forfe. of xl. P. for euery time that they do the contrary. 19. H. 7. 7.

No ordinance
to restraine
sute in the
Queenes court.

2 None of the same bodie corporat, shall make anie actes or ordinances to restraine any person to sue to the Q. or to any of her courts for due remedie to be had in their causes, ne put ne execute any penaltie or punishment

punishment vpon any of them, for any such suite made, vpon paine of forfeiture of xl. li. for euery time that they doe the contrarie. 19. H. 7. 7.

3 No Masters, Wardens, or fellowships of Crafts, nor any of them, shall compell, or cause any Apprentice or Journeyman by oath or band, or otherwise, that he after his apprenticeship, or terme expired, shall not set vp, nor keepe any shop, house, or seller, nor occupie as a freeman, without licence of the Master, Wardens, or fellowship of his occupation, for and concerning the same, vpon paine to forfeit for euery time that they or any of them shall offend contrarie to this act, xl. li. to the Q. and J. &c. to be recovered by A. J. &c. wherein no E. W. &c. 28. H. 8. 5.

None shall be restrained to keepe shop.

4 No Master, Wardens, or fellowships of Crafts, nor any of them, shall take of any Apprentice or other person, for the entrie of any apprentice into their said fellowships, aboue the summe of ii. s. vi. d, nor for his entrie when his peeres and terme is expired, aboue iii. s. iiii. d, vpon paine to forfeit for euery time that they or any of them shall offend contrarie to this act, xl. li. to the Q. and J. &c. to be recovered by A. J. &c. wherein no W. E. &c. 22. H. 8. 4, 28. H. 8. 5.

The fees for entrie of apprentice and freemen.

5 All and euery peculiar Act, order, rule, & estatute heretofore made, or hereafter to be made by any Founder, or Founders of any Hospitall, Colledge, Deanry, or other Corporation, at or vpon the foundation of the same, whereby the graunt, lease, gift, or election of the gouernor or ruler of such Hospitall, Colledge, Deanry, or other Corporation, with the assent of the moze part of such of the same Hospitall, &c. as haue or shal haue voice of assent to the same, at the time of such graunt, lease, gift, or election to be made, should be in any wise hindered, or let, by any one or moe being the lesser number of such Corporation, contrarie to the course of the common Law of this realme, shal be cleerely void. And all oathes heretofore taken (viz. before the said Statute made) by any person of such Hospitall, Colledge, Deanry, or other Corporation, shall be for & concerning the obseruance of any such order, estatute, or rule deemed void. And no person of any such Hospitall, Colledge, Deanry, or other Corporation, shall be in any wise compelled to take any oath for the obseruing of any such order, estatute or rule, vpon y paine of euery person giuing such oath to forfeit for euery time so offending, v. li. to the Q. & J. &c. to be recovered by A. J. &c. wherein no W. E. &c. or other dilatorie plea shal be allowed. 33. H. 8. 27.

In Corporations none shall haue a negative voice.

6 All and singuler officers for euery Citie, Borough, or Towne where any custome, tolle, duities, or summes of money shall be demaunded of any Alien bozne made denizen, shall set vp, or cause to be set vp in open place & places of euery such citie, borough, or towne, a table or tables by which the certaintie & verie duitie of euery such custome &c. of wares to be demaunded, may plainly appeare, to the intent that nothing be exacted otherwise then in old time hath bin vsed, vpon paine that euery Citie not doing the same, shall loose v. li, and euery towne corporat xl. s. for euery moneth

Officers shall set vp tables of all duities.

Corporations, Maiors, and head Officers, &c.

The tables in
London tou-
ching Sca-
uage.

moneth the same table shall faile to be set vp, to the D. & J. to be recou-
red by A. J. &c. wherein no M. E. P. Provided that the table set vp in
London, touching Scauage within the same, shall be first viewed, examined
and approued by the Chaunceloz & Treasoz of England, the President
of the Queenes Counsell, the L. priuie Seale, the Lord Steward of the
Queenes household, & the two chiefe Iustices &c. for the time being, or by
fower of them at the least, & by them subscribed. 22. H. 8. 8. S. Aliens 3.

Compacts
made by vit-
tailers.

7 If any conspiracie, couenant, or promise be made by any societie,
brotherhood, or company of any craft or mysterie of the Butchers, Bru-
ers, Bakers, Pulters, Cookes, Costermongers, or Fruiterers, that they
shall not sell their vitailles but at certaine prices, with the presence or
consent of the moze part of them, then immediately vpon such conspiracie
&c. beside the particular punishment appointed to the offendor, their Cor-
poration shall be dissolued to all intents. 2. Ed. 6. 15. S. Artificers 2.

What offen-
ces officers of
Townes cor-
porate may
heare and de-
termine.

8 Maiors, Shirifes, and Bailifes of Cities, Borroughes, & Townes
corporate, in their Courts shall and may inquire, heare, and determine all
offences committed within the limits of their iurisdiction, contrarie to
the statute provided 1. & 2. H. & H. for the reformation of excesse in Appa-
rell. And where any forf. shall be found within the precinct of any citie,
borough, or towne corporate, the Maior, Shirife, and Bailifes of the same
shal haue the one halfe, & he that will sue in any Court of record the other.
And euery Maior, Bailifes, &c. hath authoritie vpon the conuiction of eue-
rie such offendor, to award proces to the Shirife of any shire for the ap-
prehension of him, which being apprehended, shall be committed by the
said Shirife to the Gaole, there to remaine, vntill he hath paid the forf.
wherein he is conuicted. 1. & 2. H. & H. 2. S. Apparell 17. 18.

Apparell.

9 The Aldermen in their wardes may inquire of all offences & for-
faitures committed contrarie to the statute provided 24. H. 8. for the re-
formation of excesse in Apparell, and assesse fines vpon the offendors ac-
cording to the said statute, 24. H. 8. 13. S. Apparell 1. &c.

Apparell.

10 Maiors, Shirifes, and Bailifes of cities, and borroughes, haue
power to inquire within the same, of all false makers of Arrowheads,
and Quarrels, and to punish them according to the statute in that case
provided, 7. H. 4. 7. See Arrowheads 1.

Arrowheads.

11 Maiors and Bailifes at their Courts haue authoritie to inquire,
heare, and determine all and singuler offences committed by Vittailers,
Artificers, Workmen, & Labourers against the statute for them provided
2. E. 6. and to punish the offendors according to the tenour of the same
statute, 2. Ed. 6. 15. S. Artificers 1.

Artificers.

12 In euery Citie, Borrough, and Towne, where there be Maiors,
Shirifes, or head Officers, they haue authoritie to name & selle the prices
of euery Barrell, Kilderkin, and Firkin of Ale and Beere: And the Ale
and Beere buyers shall not sell their Ale and Beere at higher prices, then

The prices of
Ale and Beere.

shall

shall be assessed unto them. 23. H. 8. 4. S. Bruers 2.

13 Maiors, Bailifes, & other head officers of the port or place where Souldiers. any Souldier shall arrive (which having mustered and receiued the D. wages, doth depart from his Captaine within his terme without licence) haue authoritie to arrest and keepe the same Souldier, untill further in- quirie (according to the order of the Law) be made of his offence. 18. H. 6. 19. S. Captaines 3.

14 The prices of al barrells, kilderkins, firkins, and other vessels to be Barrells and kilderkins. sold for ale, beere, or scope, to be vttered therein, shall be taxed by Maiors, Bailifes, & other head officers of euery citie, & towne corporat, where any such vessel shalbe made or offered to be sold. 8. El. 9. S. Coopers 1.

15 The Maiors, sherifes, bailifes, constables, & other head officers in Marking of such cities, boroughs & townes, wherein no wardens of Coopers be, haue vessels. authoritie to search, view & gauge al barrells, kilderkins, firkins, and other vessels, that they be made & marked sufficiently, and containe the true and lawfull rates and measures, and to marke euery vessel bearing the true content. And to take for searching and gaging of euery such vessel, q. And they may retaine the vessell untill they be satisfied thereof. And if they find any vessel defectiue, not bearing the true contentes, they may retaine the same, and cause it to be marked and amended, or els to be burned. And the same authoritie haue the wardens of the Coopers within London, taking with them an officer of the Maiors, to search & marke all vessels within London, the suburbs, and two miles compasse of the suburbs. 23. H. 8. 4. See Coopers 2. 5.

16 All Maiors, Bailifes, and gouernors of cities, boroughes, & mar- Vessels of ket townes, and all other places of this Realme, where there be Maiors, Salmon, Bailifes, or gouernors, haue authoritie to name and chuse discrete and Herring, & Teles. expert person or persons, daily to search and gauge all vessels of Salmon, Herring, and Teles, that they be faithfully packed, and keepe their mea- sure, and assise. 22. E. 4. 2. 11. H. 7. 23. S. Fish 8. 9. 10. 11.

17 The Iustices of peace, within any Countie of this Realme, shall For making not intromit, or enter into any Citie, Borough, or Towne corporat, for of Mault. execution of any Article in the act (made to restraine the excessiue making of Mault,) except he be a Iustice of peace also in the said Citie, Borough, or Town corporat. But it shalbe lawful to the Iustices of peace, Maiors, Bailifs, & other head officers of those cities, boroughs, & towns corporat, where they keepe Sessions, to proceede to the execution of the said Act, & euery article therof within the precincts of their liberties, at such time & times, and as often as to them shall seeme meete, in as large & ample ma- ner, as the Iust. of p. in any countie may do. 39. El. 16. S. Mault 6. &c.

18 It is lawfull to the Master and Wardens of the Company of Ha- Tappers. berdathers within London, calling to them one of the company of Cap- Tatters. pers, and an other of the makers of Hatts, as often as neede shall require,

Corporations, Maiors, and head Officers, &c.

within the said Citie, or thre miles compasse of the same, to search all all Tappers and makers of Hatts, and the offenders, & defaults by them found, to correct & punish by fines and otherwise, as in like cases they do other offenders and defaults within the said Companie. And it is lawful to all Maiors, Bailifes, and other head officers, in all other cities and townes corporate, to do the like. 8. Eliz. 11. S. Hattes 4.

Labourers,
Seruants.

19 For the authoritie and duetie of euery Maior, Bailife, or other head officer of any citie, borough, or towne corporate, concerning the wages, order, direction, and reformation of labourers, artificers, seruants, & apprentices, within the limits of their iurisdiction, by force of the statute therfore provided, 5. Eliz. 4. S. Laborers &c. and Iustices of P. 66. 67. 68. And all americiaments, fines, issues, and forfeitures which shall grow by reason of any offences mencioned in the said statute, or any branch thereof, within any citie, or towne corporate, shall be leuied & receiued by such persons of the same citie or towne, as shal be appointed by the Maior or other head officer thereof, to the vse or maintenance of the same citie or towne, in such case as other americiaments, issues, &c. haue bin vsed to be leuied and imploied within the same by reason of any graunt or Charter from the K. or of any her Progenitors graunted to the same citie or towne. 5. Eliz. 4.

Tanners.

20 The Maior of London within the said Citie, & within thre miles compasse thereof, and all other Maiors, Bailifes, and other head officers of cities, boroughes, and townes within their seuerall iurisdiccions, shall inquire, heare, and determine all offences committed contrarie to the statute provided 5. Eliz. touching Tanners, Curriers, Shomakers, & other artificers occuppying the cutting of Leather. And also shall by their discretions, examine al persons suspected to offend the said Act, or any parcel therof, and the third part of all penalties of summes of money forf. by the said act, in any citie, borough, or towne, shall go to the said citie, borough, or towne where the offence shalbe committed. 5. Eliz. 8. S. Leather.

Liueries,
Retainors.

21 The Maior, Shirife, Bailife, or other chiefe officer of euery citie, borough, towne, & port within this Realme, hauing power to heare and determin personal pleas in the Court holden before them, or any of them, within any such citie, towne, &c. haue authoritie to receiue information of any persons, which shall giue any liuerie or badge, or retaine any other, then his meniall seruant, officer, or learned man in the one law or other, by writing, oath, or promise, and of any person which shall be so reteined, & to heare & determine aswell by examination, as by triall, all things done concerning the same, by, or to the inhabitants within the iurisdiction of the same Court. And to put the statute for those offences provided in execution. And the Queene shal haue the one moitie of all penalties forfeited by the said statute. And the Informer & chiefe officer of such citie, borough &c. shall haue the other, equally to be deuided betwixt them. And the said
chiefe

chiefe officers part, shall be imployed to the vse of the said citie, borough, &c. 8. Ed. 4. 2. S. Lueries 5.

22 All and singuler Maiors, Bailifs, & Iustices of W. within any citie, borough, or towne corporate, in any parts within this realme, within the limits of their commission, haue authoritie to inquire of all offenders against Preachers & other Ministers of the Church, & to heare & determine the same, and to set fines and ameraciements of the said offenders, as in the statute therfore provided is limited. 1. H. 3. S. Preachers 1. 2. Preachers.

23 All Maiors, Bailifes, Shirifes, and other head officers, shall cause the Statute provided against unlawfull Games, & for the maintenance of Artillerie, to be openly proclaimed once euery quarter of a yeere in euery Market, holden within their seuerall iurisdiccions. 33. H. 8. 9. Unlawfull games.

24 Maiors, Shirifes, Bailifs, & other head officers in cities, & townes corporate, in their courts within the limits of their authorities, haue power to inquire, heare, & determine all & singuler offences done in the land, or within any haven or peere, contrarie to the statute made 5. Eliz. (touching certaine politique constitutions for the maintenance of the Maie) and if any person shall be presented befoze them, within the limits of their authority, or any information giuen to them of any offender of the said Act: then they haue authoritie therupon to make proces against the offender, as is commonly vsed vpon indictmets of trespass. And if any be presented, & afterward conuicted by confession or otherwise, then he shall suffer no lesse forfe. or punishment, then in the said act is limited: for the leuying of which forfe. the said Maiors, & other head officers, within y^e limits of their authorities, haue power to make such proces, as they shall think good by their discretions. But the information at the parties suit shall be within halfe a yere, & the information or presentment at the Q. suit, shall be within one yere after the offence committed, or els the same shall not be of effect to put the party to answer, or losse. 5. Eliz. 1. S. Fish daies. Ships 1. 2. 3. 4. 5. Maintenance of the Maie.

25 Maiors, Shirifes, & Bailifes of cities haue authoritie to inquire, heare, and determine of all and singuler offences committed contrarie to the statute provided 37. H. 8. against Usurie. 13. Eliz. 8. S. Vsurie. Usurie.

26 All Maiors, Shirifes, Bailifes, and other head officers of cities, boroughes, and townes corporate, within the limits of their commissions, aswell within franchise as without, haue authoritie to examine, heare, inquire, and determine the defaults of such as shall attempt to sell any wines in grosse, or by retaille, contrarie to the statute provided 28. H. 8. and to punish the offenders by imprisonment, or otherwise by their discretions. 28. H. 8. 14. S. Wines 1. 2. Wines.

27 Maiors, Shirifes, Bailifes, or chiefe gouernors of such cities or townes, where any carracke, galley, or ship shall come to safe port of any marchant strangers, their factors, attorneys, or seruants, shall search, or suruey the Bowstaues, brought, sent, or conueyed into this Realme by Searching and marking of Bowstaues.

Corporations, Maiors, and head Officers, &c.

the said Marchants &c. And shall assigne two expert men to search the said Staues, which two men shall be sworne by the said Maior &c. that they shall truly & indifferently marke the Staues that be not good & sufficient, that all the Queenes people may haue knowledge of them. 12. Ed. 4. 2. 13. Eliz. 14. S. Bowes 1.

Ryding armed. 28 Maior and Bailifes of cities & boroughes within the same cities and boroughes, haue power to make execution of the statute of Northampton prouided 2. E. 3. against those which shall goe or ride armed, 2. Ed. 3. 4. 20. R. 2. 1. S. Armour 10.

Free election. 26 No great man, or any other by strength, or threats, shall disturbe or hinder free election to be made, West. 1. 3. Ed. 1. 5. But when any dignitie is voide, they which haue the election, shal freely without threats of any secular power, intreatie, or oppression, proceede to their election, Artic. Cleri, 9. Ed. 2. 14.

Newes. 1 That the Maior and chiefe Officers of cities and corporat townes, which may keepe Sessions as Iustices of peace, may commit to prison any person vehemently suspected of any of the offences, of speaking, &c. false Newes against the Queene, inquire of the offences, and indite the offenders. See Newes 11.

Poore people. 2 What Maiors and other head officers shall or may doe for the placing, prouision, reliefe, reforming, or punishment of poore persons within the limits of their authoritie, See Poore people &c. And what for the punishment of vagabounds and sturdie beggars. S. Vagaboundes &c.

Unlawfull games. 3 For the authoritie of Maiors, and other head Officers, concerning the restraining of vnlawfull Games within their iurisdiction, and the punishment of the offenders, S. Plaies &c. 5. 6.

Private offences. 4 Where any Corporation or Companie, or the head Officers of the same, shall make forfait, or be pnnished for any particular persons offence, S. Leather 26. 30. Draperie 38. 48. 49. 116. Gold 12. Coopers 7.

Mortmaine. 5 That it is Mortmaine for the chiefe Officer of a corporat towne, to purchase any land to the vse of the Corporation. S. Mortmaine 4.

Searchers of leather. 6 That the Maiors and other head officers shall appoint expert men to search and seale Leather. S. Leather 22. 23. 25.

Cloth searched 7 That Maiors and head officers of corporate townes, shall appoint certaine to search and seale cloth. S. Draperie 36. 37.

Faultie cloth. 8 How the chiefe Officer of any citie or towne, shall vse faultie cloth presented vnto him. S. Draperie 34.

Gunnes. 9 That a Maior or head officer shall receiue the names of those which shoote in Gunnes, and cause them to be recorded. S. Gunnes 11.

Phisitions. 10 By what names the Phisitions in London be incorporate, what priuiledges they haue, and what they may doe, and that all Maiors & other Officers shall asist them. S. Phisitions 1. 4. 5. 7. 10.

Fuslians. 11 That the Maior and Wardens of the Sheremen of London may search

search the workmanship of Fustians and Clothes. S. Fustians 1.

12 What the Wardens of Goldsmithes shall forfait, if any worke by Goldsmiths, them touched and allowed for good, be after found deceitfull. See Gold 12.

13 That the Maior or chiefe Officer of any citie & town, may search Dyle, all Oyles brought into the same to be sold, and destroy that which is faultie, and punish the offenders. S. Oyle 1.2.

14 That the Wardens and searchers of Couerlets within Yorke may Couerlets, search in all Faïres, from Trent Northward, for all Couerlets made within the Countie of Yorke. S. Couerlets 3.

15 That the Maior, Recorder, &c. of Norwich, shall admit those Hatts, which shall make Hatts, Couerlets, and Dornikes within the countie of Dornikes, Norf. and take nothing therefore. S. Couerlets 5. Hattes 3.

16 That the head Officers of corporat townes, may appoint expert Pewter, men to search vessell of Pewter and Brasse. S. Pewterers 5.6.7. Brasse.

17 What apparell Magistrates in corporat townes may were. S. Apparell, apparell 16.17.

18 That a common officer in a corporat towne, shall be no Custo- An officer no mer. S. Custome 20. customer.

19 That the head Officers of cities and townes, shall arrest the Caters Caters, of Noble men, and others, which take anything from any man, without the owners good will. S. Purueiors 1.

20 That head Officers of cities and corporat townes may inquire of the offences prohibited by the statute made for the vniformitie of Com- An vniformitie of mon praier. S. Sacraments 7. comon praier.

21 How Riots, Routs, and Assemblies made in cities and corporate Riots, Routs, townes, which haue Iustices of peace, shall be inquired of, and repressed. S. Riots 13. &c.

22 For all the duties of Maiors, and other head officers of cities and townes corporat, concerning the executing of the statute provided a- Unlawfull gainst vnlawfull and Rebellious assemblies. See Riots 16.17.20.21. assemblies, 24.25.26.

23 That Maiors, Bailifes, &c. shall be attendant vpon the Coroner, Abiurations, at the executing of an abiured person. S. Sanctuarie 4.

24 That Maiors, Bailifes, &c. of cities and boroughes, may order, re- Vitailers, forme, and punish Vitailers. S. Vitailers 1.4.7.

25 How the prices of vitailles shall be assessed when any Vitailer is Vitailles, chosen to beare office in any corporat towne. S. Vitailers 9.

26 For the authoritie of the head officers of corporat townes, in kee- Weights, ping, marking, viewing, and examining of Weights and Measures. See Measures, Weights 7.8.10.11.

27 That the head officers of corporate townes, shall haue the moitie Vintners, of the forfeitures of those which sell wine in grosse, contrarie to the prices

assessed &c. S. Wines 2.

Wines.

28 That head officers of corporate townes, may enter into a Marchants house which denieth to sell Wine at the price assessed, &c. and sell and deliuer the same, S. Wines 4.

Wines.

29 That none shall sell wines in Townes corporat, but by the assignment of the head officers thereof, S. Wines 9.

Wines.

30 That head officers of corporat townes haue authoritie to assay wines, and powre out the corrupt. S. Wines 15.

Musters.

31 Where and before whom inhabitants in corporat townes shal be charged to appeare at Musters, S. Captaines 15.

Union.

32 That there shall be no vnion of any Church in a corporat towne, without the assent of the Maior and Comminaltie &c. S. Ecclesiast, 32.

Scauage.

33 That no head officer of a corporat towne shall take Scauage, or Shewage of a Marchant for marchandizes custumed &c. S. Marchants 2.

Parliament.

34 For the duetie of head officers of corporat townes, about the electing and returning of Burgesses of the Parliament. S. Parliament 5.6.

Abiured persons.

35 That the head officers of a corporat towne, may take out of Sanctuarie an abiured person committing felonie. S. Sanctuarie 9.

Recoueries.

36 For the force of recoueries, deedes inrolled, or releases in certain corporat townes. S. Women 5.

Fish.

37 That ordinances of corporations made for the restraint of any person to take, buy, or sell fish, shall be void. S. Fish 22.

Wales.

38 That corporat townes in Wales may hold pleas, and determine actions as in England. S. Wales 55.

Souldiers & Mariners.

39 That the officers of certaine corporat townes may within their liberties execute the Statute provided for the reliefe of Souldiers and Mariners. See Captaines 26.

Poore.

40 That head officers of corporat townes being Iustices of peace shall haue the same authoritie by vertue of the Act provided for the reliefe of the poore within the limits of their Corporations as Iustices of peace of the countie. S. Poore people 9.

Vagaboundes.

41 And that they shall haue the like authoritie to execute the Act provided for punishment of vagaboundes. S. Vagaboundes 8.

Coroners.

Who shall be Coroners, and by whom, and where they shall be chosen.

AL Coroners of shires shall be chosen in the full counties, by the commons of the same counties, of the most meete & woorthy people, which may be found in the same counties to execute the said offices, and of the most sage and wise knights which do best know, can, & will attend vnto the same office, and which will lawfully attach, and present the pleas of the Corone, 3. Ed. 1. 10. Alwaies sauing to the Q. & other Lords which ought to appoint such Coroners their franchises, 28. Ed. 3. 6. But no Coroner shall be chosen, if he haue not sufficient land in fee in the same countie, whereof he may aunswere all people, 14. Ed. 3. 8.

2 If anie Coroners be aduertised by the Queenes bailifes, or other honest men of the countrey, to come to those that be slaine, suddenly dead or wounded, or to house breakers, or to any place where treasure is found, they shall immediatly come, and forthwith command foure, five, or sixe of the next townes, that they appeare before them in such a place, and when they come, the Coroners vpon their othe shall inquire if they did know of the man that was killed, where he was first slaine, whether in the field, or in the house, bed, tauerne, or in any company, and who were there. *Of what things Coroners shall inquire.*

3. Ed. 1.

3 Likewise they shall inquire who were culpable, either of the Act or force, and who were present, either men or women, and of what age they be, so they can speake and haue discretion: and they which be found guilty by inquisition in the foresaid maner, shalbe taken, deliuered to the Sherife, & committed to the gaole, and as many of them as be not found guilty shalbe attached, vntill the comming of the Iustices, & their names inrolled, 3. Ed. 1. *Enquire of the offenders.*

4 If any man be sodainly slaine, and found in the fields or woods, it is to be considered whether he were slaine there or not, if he were brought thither, their steps that brought him (if it may be) shalbe followed, and so shall the tracke of horse and cart, And also it shalbe inquired, if he that were slaine, were knowen, or vnkowen, and where he lodged the night before. And if anie be found guilty of the death of such, immediatly the Coroners shal come to his house, and inquire what cattell he hath, & what corne in his grange, & what on the ground, & if he be a free man, what free land he hath, and what it is worth by the yere, beside the Lord of the fees seruice, but the land shall remaine in the Queenes hands, vntill the Lord of the fee hath made a fine for it. And when they haue inquired of all things, then they shall cause them to be prised, as if they should straightway be sold, and then the body of him that is dead shalbe buried, 3. Ed. 1. *A man found slaine.*

5 Hozeouer, the Coroners shall inquire of them which be drowned, suddenly slaine, or strangled, by the signe of some hurt found vpon their bodies, or some other manifest token, and shall attach the finders & all other in their companie, 3. Ed. 1. *Suddenly slaine.*

6 A Coroner ought to inquire of treasure that is found, who were the finders, and who are suspected thereof, which may be gathered by some mans delicat liuing, and frequenting of tauerns, which (vpon suspicion) shalbe attached by foure, or sixe, or mo pledges, 3. Ed. 1. *Treasure found.*

7 If anie be appealed of Rape, he shall be attached by foure or sixe pledges, if the appeale be fresh, and the signe of trueth apparant, or an open outcrie leued: But if it be without any manifest token or outcrie, two pledges shall suffice, 3. Ed. 1. *Rape.*

8 Upon appeale of maihem, if the wounds be mortal, they which be appealed, shall forthwith be apprehended, and kept vntill it be knowen, whether *Maihem or wounding,*

Coroners.

whether he that is hurt shall recouer or not : if he die, they shalbe retained, if he liue, they shalbe attached by foure or fixe pledges, according to the bignesse of the wound : if it be for a maihem, then there shalbe no lesse then foure pledges, if a small wound, two will serue, 3. Ed. 1.

The length,
breadth, and
deepenes of
wounds.

9 The length, breadth, and deepenes of all wounds ought to be view-
ed, and with what weapons, and in what part of the body the party was
hurt, and also how many wounds there be, how manie be culpable, and
who gauze the wound, all which things shalbe enrolled in the Coroners
roll, 3. Edw. 1.

Deodandes.

10 Horses, Boats, Carts, commonly called Deodandes, whereby any
person shall perish, shalbe valued and deliuered to the whole Towneship,
which shalbe answerable therfore, 3. Ed. 1.

Wrecke of
Sea.

11 Whosoever layeth hands vpon the wrecke of the Sea, shalbe atta-
ched by sufficient pledges, the price of the wrecke shalbe valued and de-
liuered to the towne to answer, &c. Officium Coronatoris. 3. Edw. 1. See
Wrecke.

Coroners shall
inquire & certi-
fie at the gaole
deliuerie.

12 If any Coroner be remisse in viewling of a dead bodie murdred or
slaine, and do not inquire of them that haue done the murder or death, of
their Abbettozs & consentozs, who were present thereat, and their names,
or so found do not inroll, certifie, and deliuer his inquisition to the Iusti-
ces of the next gaole deliuerie in the shire, where the inquisition is taken,
that the same Iustices may proceede against such murderers, if they be in
the Gaole, or els certifie the inquisition into the Kings Bench, the said
Coroner shal forfeit to the Q. for euerie offence. v. li. 3. H. 7. 1.

Enquire of e-
scape of the
murderer.

13 The Coroner vpon the view of the dead bodie, may enquire of the
escape of the murderer, for if he do the murder in the day and escape, the
towne shalbe amerced. 3. H. 7. 1.

Recording evi-
dence & binding
parties to giue
it at the gaole
deliuerie.

14 Euery Coroner vpon any inquisition before him found, whereby
any person shalbe indicted for murder or manslaughter, or as accessory to
the same before the murder or manslaughter committed, shall put in wri-
ting the effect of the euidence giuen to the Iurie before him, being mate-
rial. And he hath authoritie to bind all such by recognisance or obligation,
as do declare any thing materiall to proue y^e said murder or manslaughter,
or to be accessarie to the same, to appeare at the next generall gaole deli-
uerie to be holden within the countie, citie, or towne corporat, where the
triall thereof shalbe, then and there to giue euidence against the partie so
indicted at the time of his trial, & shal certifie as well the same euidence, as
such bonds in writing which he shal take, together with the inquisition or
indictment before him taken & found, at or before the time of his said triall
to be made. And if any Coroner shal offend in any thing to the contrarie,
then y^e Iustices of Gaole deliuerie of the shire, citie, towne, or place where
such offence shalbe committed, vpon due prooffe thereof by examination be-
fore them, shall for euery such offence, set such fine on such Coroner, as
they

they shall thinke meete. 1. and 2. H. and M. 13. S. Iustice of peace 107.

15 If the Coroner of the shire or place, where anie person shall take any refuge or Sanctuarie in any Churches, or Churchyards, Cathedrall Church, Hospitals, Churches collegiat, Chapels dedicat, commonly vsed as Parish Churches, or any cemiteries to any of them belonging, vpon reasonable request made, do refuse to come in conuenient time, vnto such person being in Sanctuarie, there to take his confession and abiuration, according to the lawes of this Realme, then the said Coroner for euery such default shal forfeit C. s. to the Queene. 32. H. 8. 12. S. Sanctuarie 3. 4.

A Coroner shal come to take abiuration.

16 A Coroner, which vpon request to him made, to come and inquire vpon the view of anie person slaine, drowned, or otherwise dead by misadventure, doth not his office diligently vpon the view of such body, without any thing therfore taking, shall forfeit xl. s. 3. Ed. 1. 10. 1. H. 8. 7. But a Coroner shall haue for his fee vpon euery Inquisition taken vpon the view of a bodie slaine xlii. s. iiii. d. of the goods and cattels of the murderer, if he haue any: and if he haue no goods, the Coroner shall haue his fee of such amercement, as any towneship shalbe amerced for escape of such murderer. 3. H. 7. 1.

No fee where any person is slaine by misadventure.

The Coroners fee where any person is murdered.

17 The Sherife shall haue counter roules with the Coroner, aswell of Appeales of Enquests, as of attachments, and other things which do belong to this office. West. 1. 3. Ed. 1. 10. But no Sherife, Constable, Eschetour, Coroner, or any other Bailife of the Queenes, shall hold pleas of the Crowne, Magna Charta. 9. H. 3. 17.

The Sherife shall haue counter rolles with the Coroner.

18 Upon the Inquisition to be made by the Coroner of the death of a man, euery one of the age of xii. yeeres, ought to appeare, except they haue a reasonable excuse of their absence. Marleb. 52. H. 3. 24.

Who ought to appeare vpon an Inquisition of a mans death.

19 If the death of a man (where the Coroners office is to make view and enquest) doth chaunce in any Countie where the Queenes house is, & within the verge, the Coroner of the same Countie shall be commanded with the Coroner of the Queenes house, to execute his office, & to inroll it. And that thing that cannot be determined befoze the Steward, shalbe remitted to the Common law, so that exigents, outlawries, & presentments shalbe thereupon made to the Iustices in their circuits, by the Coroner of the Countie, aswell as of other felonies done out of the verge. 28. Ed. 1. 3. But all Inquisitions vpon the view of persons slaine within any of the Queenes palaces or houses, or any other house, at such time as her Maie-
tie shall be abiding in her rovall person, shalbe taken by the Coroner of y^e household of the Q. or her heires, without adioyning of any other Coroner of any Shire, by the othes of xli. or more of the yeomen Officers of the Queenes etc. household, returned by the two Clerkes Comptrollers, the Clerkes of the Checke, Clerks Marshall, or one of them for the time being, of the foresaid household, to whom the said Coroner shall direct his precept, which Coroner etc. shalbe assigned by the L. Steward for the time being.

Enquire with- in the Clerge.

Enquire with- in the Queenes house.

Coroners. Cosinage. Cottages, Inmates.

being. And the said Coroner shal from time to time for euer without delay certifie vnder his Seale, & the seales of such persons as shalbe so swozne befoze him, all such Inquisitions, Indictments, & Offices vpon the viewe of all dead bodies which shal be slaine within any of the Queenes palaces or houses, or other house aforesaid befoze the said Lord Steward, & in his absence, befoze the Tresourer, Comptroller & Steward of the Marshalsey, or befoze two of them, wherof the said Steward of the Marshalsey to be one, & such Inquisitions & offices so certified, shal be taken as good to all intents, as any Inquisition taken vpon the view of the body of any person being dead, by any Coroner of any Countie of this Realme hath bin, or shalbe adiudged. 33. H. 8. 12. 27. H. 8. 24. 32. H. 8. 20. S. Fighting. 1.

Coroners of
Cheshire.

20 Two head Coroners for the body of the shire of Cheshire shalbe elected by vertue of the Queenes writ de Coronatore eligendo, to be awarded out of the Eschequer of Chester, which Coroners shalbe found to sit with the Sherife at the Shire courts, to giue iudgments vpon outlawries, and to do all other things that appertaineth. 35. H. 8. 13.

1 What euery Coroner which shalbe absent from the assessing of the wages of the Knights of the Shire, shall forfeit. S. Parliament 12.

2 What Coroners shall forfeite if they do conceale, or will not arrest Felons when they may. See Felonie 38.

3 Where the Coroners shall impannell any Iurie, of what sufficiencie the Iurors shalbe, what Issues they shall returne vpon them, and vpon what paine. S. Riots 7.

4 That there shall be two Coroners in euery of the 12. Shires in Wales, how they shall be chosen: their office and duetie. S. Wales 52.

Cosinage.

In writs of Cosinage Aiel & Besail, the which be of the same nature that an assise of Mortdauncestor is, & same answere shalbe allowed for the tenant, that the Iustices did allow him at the Common law in Assise of Mortdauncestor, viz. that the plaintife is not next heire of & Auncestor, by whose death the land is demanded, & that shalbe inquired of by the Assise, & according to the Inquisition iudgemēt shalbe giuen, West. 2. 13. Ed. 1. 20.

Cottages, Inmates.

No new cottage without
four acres of
land.

NO person shall within this Realme of England, make, build, or erect, or cause to be made, builded, or erected, any manner of cottage for habitation or dwelling, nor conuert or ordeine any building or housing made or hereafter to be made, to be used as a cottage for habitation or dwelling, vntlesse the same person do assigne & lay to the same cottage or building, foure acres of ground at the least to be accompted according to the statute or ordinance de terris mensurandis, being his or her owne freehold & inheritance, lying neere to the said cottage to be continually occupied and manured therewith, so long as the same cottage shalbe inhabited, vpon paine that euery such offender shall forfeit to the Queene her heires

heires and successors x. l. for every such offence. 31. Eliz. 7.

2 Every person which shall willingly uphold, maintaine, and continue any such cottage hereafter to be erected, converted, or ordeined for habitation or dwelling, whereunto foure acres of ground as is aforesaid, shall not be assigned and layd, to be vsed and occupied with the same, shall forfait to the Queene, her heires and successors xl. s. for every moneth that any such cottage shall be by him or them upholden, maintained and continued. 31. Eliz. 7. Upholders of new cottages.

3 There shall not be any Inmate or more families or households then one, dwelling or inhabiting in any one cottage, made or to be made or erected, vpon paine that every owner or occupier of any such cottage, placing or willingly suffering any such Inmate or other familie then one, shall forfait to the Lord of the Leete within which such cottage shall be x. s. for every moneth that any such Inmate, or other familie then one, shall dwell or inhabite in any one cottage as aforesaid. 31. Eliz. 7. Inmates.
S. Iustices of Peace. 101. Lectes 19.

4 Provided alwaies, that this statute or any thing therein contained, shall not be extented to any cottage which shall be ordeined or erected, to, or for habitation or dwelling, in any Citie, Towne corporat, or auncient Borough or Market towne within this Realme, nor to anie cottages or buildings, which shall be erected, ordeined, or converted to and for the necessarie and conuenient habitation or dwelling of any workemen, or labourers in any minerall workes, cole mines, Quarries or delfes of stone, or slate, or in or about the making of Brick, Tile, Lime, or Coles within this Realme: So as the same Cottage, or building be not aboue one mile distant from the place of the same myneral or other workes, and shall be vsed onely for the habitation and dwelling of the said workmen, nor shall in any sort preiudice, charge or impeach any person or persons, for the erecting, maintaining, or continuing of any such Cottages, as are before in this prouiso mentioned and specified. 31. Eliz. 7. Cottages within corporat Townes.

5 This Act shall not extend to any cottage to be made within a mile of the Sea, or vpon the side of such part of any Nauigable Riuer where the Admiral ought to haue iurisdiction, so long as no person shall therein inhabit but a Sailer or man of manuall occupation, to or for making, furnishing, or victualing of any Ship, or vessell vsed to serue on the Sea, nor to any Cottage to be made in any Forrest, Chase, Warren, or Parke, so long as no other person shall therein inhabit, but an Underkeeper or Warrener, for the keeping of the Deere, or other game of Warren, nor to any Cottage heretofore made, so long as no other person shall therein inhabit, but a comon heardman or shepheard, for keeping the cattell or sheepe of the Towne, or a poore, lame, sicke, aged, or impotent person, nor to any Cottage to be made, which for any iust respect vpon complaint to the Iustices of Assise at the Assises, or to the Iustices of Peace at the Quarter Sessions,

Cottages, Inmates.

Sessions, shall by their order entered in open Assises, or Quarter Sessions, be decreed to continue for habitation for and during so long time onely, as by such decree shall be tolerated and limited. 31. Eliz. 7.

No new build-
ings within
London or
Westminster,
or three miles
thereof.

6 No person or persons of what estate, degree, or condition soever, shall from henceforth make and erect any new building or buildings, house or houses, for habitation or dwelling within either of the Cities of London or Westminster, or within three miles of any of the gates of the said Citie of London, except it be to enlarge his or their house or houses that so shall build the same, or to adde some other buildings to his or their houses, or in their gardens for the more ease or pleasure of the builder, or that such new house or tenement shall be fit for the habitation or dwelling of such a person as heretofore hath bene assessed to or for the Subsidie to her Maiestie at v. l. in goods, or iii. l. in lands, at the last assessment next before the said new buildings, or shall be iudged by the two next Justices of peace, by writing vnder their hands and seales to be presented at the next quarter Sessions, to be fitte and able to be assessed in the Subsidie, according to that rate, if before that time he hath not bene so assessed, or except any such new building shall be made for any Hospitall for reliefe of the poore, vpon paine to forfeit for euery such offence quarterly the summe of v. l. 35. Eliz. 6.

The penaltie
v. li. a quarter.

One dwelling
house shall not
be conuerted
into more.

7 No person or persons of what estate, degree, or condition soever, shall at any time hereafter, conuert or deuide any dwelling house, or other buildings now erected and builded, or hereafter to be erected and builded within the Cities and places aforesaid, or any of them into diuers and seuerall habitations or dwellings for seuerall and diuers families, Except euery seuerall house so deuided shall be fit for habitation or dwelling of such a person, as heretofore hath bin assessed to or for the Subsidie to her Maiestie at v. l. in goods, or iii. l. in lands, at the Subsidie next before such diuision, or by two Justices of peace next adioynning by writing vnder their hands and seales to be presented at the next quarter Sessions, shall be thought fit and able to be assessed in the subsidie according to that rate, vpon paine to forfeit for euery such offence, (if any other person vnder that value shall inhabit such house) the summe of v. l. for euery moneth to be paid by that person that shall permit the house deuided to be inhabited. And euery person being not of such value which shall hereafter dwell or inhabite in any such house, so to be new builded, conuerted or deuided as aforesaid, shall forfeit for euery moneth that he or she shall so dwell or inhabit in the same v. l. 35. Eliz. 6.

The penaltie
v. li.

Inhabiting
in a house
deuided.

No Inmates
or vnder sit-
ters,

8 No person or persons inhabiting and dwelling within the Cities and places aforesaid shall receiue or take into his or their house or houses any Inmate or vnder sitter, or Inmates or vnder sitters, vpon paine to forfeit for euery moneth that he, she, or they shall haue and keepe, or willingly suffer in his, her, or their house or houses any such Inmate or vnder sitter

vnder sitter

derfitter contrary to the true meaning of this Act the summe of v. pound as is aforesaid. Provided that this branch of this Act, or any thing therein contained, shall not extend to any person or persons for taking or receiving into his, her or their house or houses any person or persons, which is or shall be assessed in the subsidie at five pound in goods, or three pound in lands or fees, or shall be thought able and fit to pay such a rate in Subsidie as is aforesaid. 35. Eliz. 6.

No Subsidie person taken for an Inmate.

9 It shall not be lawfull to anie person or persons to inclose or take in, anie part of the commons or waste grounds, situate, lying or being within three miles of anie of the gates of the Citie of London, nor to sever or divide by anie hedge, ditch, pale or otherwise any of the said fields lying within three miles of any of the gates of the said Citie of London as aforesaid, to the let or hinderance of the trayning or Mustering of Soldiers, or of walking for recreation, comfort and health of her Maiesties people, or of the lawdable exercise of shooting, where there hath bene vsuall exercise of shooting, and marks haue bene there set, vpon paine to forfe. for euery moneth that he or they or anie of them shall keepe any part of the said commons or waste grounds inclosed or taken in for euery such inclosure five pound. And for euery moneth that he or they shall keepe anie part of any of the same fields severed or divided for euery such offence five pound. 35. Eliz. 6.

Commons and waste grounds lying within three miles of London shall not be inclosed.

The penaltie v. li. a moneth.

10 The one moitie of all which paines, penalties, and summes of money to be forfeited by vertue of this Act shall be to the Churchwardens of all and euery parish and Parishes, where the severall offences shall be committed, to be employed by them, with consent of the moze part of the Parishioners being householders to the vse of the poore of the same parish or parishes, and the other moity to him or them that will sue for the same by A. B. P. or J. wherein no C. P. P. or W. &c. 35. Eliz. 6.

To whose vse the penaltie shall be employed, and how recovered.

11 The Churchwardens of euery severall parish (if they shall not be herein offenders,) where any of the offences aforesaid shall be committed (and if they be offenders,) then the Curate of the parish with two other honest men of the same parish being householders shall haue full power and authoritie by vertue of this Act, to enter into all and euery house and houses, and other place and places where any offence shall be committed against the true meaning of this Act, and there to distreine for the moity of all and euery such summe and summes, as shall be forfeited by vertue of this Act, and the distres, and distresses to detaine untill such moity of the summe and summes of money so to be forfeited shall be truly satisfied and paid, according to the true intent and meaning hereof. 35. Eliz. 6.

Reconuerie of the penalties by distres.

12 Provided alwaies, that this Act, or any thing therein contained, shall not extend to take away, preiudice, or impeach any good vsages or customs heretofore vsed in the Cities of London & Westminster, or either of them, for the refozming or punishing any of the offences aforesaid, nor

Other mens authoritie to punish these offences reserved.

to

Cottages, Inmates.

to any Lord or Lords hauing libertie to keepe a Leete for punishing of any the offences aforesaid within the Iurisdiction of his Leete, as they might haue done before this Statute. 35. Eliz. 6.

Habitation for
Mariners,
Sailers, Ship-
wrights.

13 Provided also that notwithstanding any thing in this Act contained, it shall and may be lawfull for euery such Mariner, Sailer, or Shipwright as shalbe allowed by the L. Admirall and the Masters and companie of Trinitie house for the time being in writing vnder their hands and seales to continue his habitation in any house that hath beene built sithence the Proclamation (dated at Ronesuch 7. Iulii An. 22. Regine Elizabeth) neere to the Thames side, seruing onely for the habitation of such Mariner, Sailer, or Shipwright, and not to be vlsed for any victualing house, nor for any storehouse for any Merchandize, sauing such as shall appertaine to the arming or apparelling of Shippes. And likewise that any Mariner, Sailer, or Shipwright may hereafter build any house for such purpose, and for none other, on or neere the Thames side, so as it be distant from the very Wharfe or bancke xxx. foote, so as people may passe betwixt the said houses, and the said bancke, and the Thames. And so as in the new building thereof, euery house hereafter to be builded, may be distant from any other house aboue xx. foote, to auoid casualtie of fire, and so as also that there be no new landing place or staires made to take vp and lay to land, or to lay from land, in any boate or ship any Wares or Merchandizes, 35. Eliz. 6.

Iustices of P.
shal determine
what houses be
meet for Sub-
sidie men.

14 Two Iustices of Peace inhabiting next to any of the houses or tenements aforesaid, shall haue full power by vertue of this Act, to decide, and determine, whether euery particuler House or Tenement before mentioned be sufficient and conuenient for habitation of a man assessed or fit to be assessed to the Subsidie for her Maiestie at five £. in goods, or three £. in lands, and whether the inhabitant in any such house or tenement be of value or substance to be assessed in the Subsidie, according to the rates aforesaid, 35. Eliz. 6.

The measure
or reckoning
of a mile.

15 A mile shalbe reckened and taken in this maner and no otherwise: that is to say, a mile to containe eight furlongs, and euery furlong to containe xl. lugs or poles, and euery luge or pole to containe xvi. foote and an halfe, 35. Eliz. 6. S. Weights 4.

Inmates shall
shew their lea-
ses at the next
Court.

16 For auoiding of colourable continuing of Inmates against the intention of this Act by pretence of any leasses or states made to them, the said Inmates pretending any leasses, at the next Leete or Court to be held in the maner or place where the houses inhabited by Inmates are situate, shall produce his or her Lease, and thereof make good prooffe before the Steward of the Leete or Court, and the Iurie, which if he shall not doe, then the said Inmate to be forthwith remoued as aboue is mentioned. This Act to endure for vii. yeeres, and afterwards untill the end of the Session of Parliament then next ensuing, 35. Eliz. 6.

Couerlets.

NO person dwelling within the Countie of Yorke, or nigh unto the same, shall make any Couerlets or couerings to put to sale, vnlesse such person be inhabiting within the Citie of Yorke, or within the Suburbes of the same, vpon paine of forfaiture of the same, or the value thereof. 34. H. 8. 10.

Sale of couerlets in Yorke, shire.

2 No person of the occupation of the handicraftes men of Couerlet makers dwelling within the said citie of Yorke, or the Suburbes of the same, or elsewhere within the said Countie, shall vse the craft of hauking abroad in the countrey to Villages & mens houses, or goe as haukers, or put to sale any couerlets in any other place, out of the said citie and liberties thereof, but only in the open markets and faires, vpon paine of forfaiture of the same couerlets, or the value thereof. 34. H. 8. 10.

No Couerlet maker in Yorke shire shall go abroad.

3 The Wardens and Searchers of the occupation of Couerlet makers within Yorke, and their successors, haue power to make search in all Faiores and Markets from Trent Northward within this Realme, for all such Couerlets as shalbe put to sale not being full wrought, and made of sufficient stufte, or not containing the Assise accustomed (viz. The best sort ought to containe in length iii. yardes, and in breadth ii. yardes and a quarter at the least: The second sort should containe in length iii. yards, and in breadth ii. yards: And the lowest or third sort should containe two yards and a halfe in length, and in breadth one yard and thre quarters.) And to seise & take the same as forfeited. The one moiety of which forfeitures if it be in any Citie, Borough, or Towne corporate, to be to the Mayor and Comminaltie, Bailife, Gouvernor, or other Ruler and Comminaltie of euery such citie &c. authozised to haue the same by grant or prescription, or otherwise lawfully: And the other halfe to such person or persons, as shall seise or sue for the same by B. P. A. J. or otherwise in any Court of Record, where in no M. P. or dilatory plea shalbe allowed. And if the said sort happen to be found, or taken out of any of the said cities, Towns or Boroughs hauing no such authozity: Then the one moiety of the forfeiture shalbe to the Queene, and the other to such person and persons as wil sue for the same in any of the Queenes Courts in forme aforesaid. And when, and as often as the said Searchers, or Wardens of the occupation of Couerlet makers of the said Citie of Yorke, shall make search in any Liberties or Franchises within the said Countie for any of the causes in this Act mencioned. Then and so often they shall require the head Officer of the said Liberties or Franchises or his deputie, to be aiding and assisting, and also to goe with them to make the said search, and if the said Officer or his Deputie, vpon request so made, refuse or wil not so do, then vpon such deniall and refusall, the same Searchers or Wardens, shall make search themselves, any thing in this Act &c. notwithstanding. Provided that the Lords of the said Liberties and Franchises, where any such searches shall be made by authozitie of this Act, shall haue such fines and

Search for couerlets not wel wrought, or wanting assise.

The Assise of Couerlets.

forfaitures, as of right they ought to haue by reason of any such searches, in as large maner, as they ought to haue had, befoze the making of this Act, 34. H. 8. 10.

Couerlets for
certaine vses
excepted.

4 But it shalbe lawful to euery person dwelling within the County of Yorke, to make couerlets of what Assise or stuffe they will. for their owne vse, or store of their households, or for their Lords, to whom they be tenants. So that the same shall not be put to sale. 34. H. 8. 10.

Making with
in Norwich or
Norfolk of Co-
uerlets &c.

5 No person by himselfe, or by his seruant or Apprentice, shall make or worke any felts, or thronned Hats, or weaue, or make any Couerlets or Dornecks, or occupy, vse, or exercise the misteries or occupations of making of felts, or thronned Hats, or weauing of Dornecks & Couerlets or any of them within the Citie of Norwich, or within the Countie of Norfolk, vnles he or they, that shal so make or worke, any such felts or Hats, or so occupy the occupation or mistery of making of felts, or hats as aforesaid, within the said Citie or Countie, be licenced and admitted so to doe by the Maior, Recorder, Steward and two Iustices of the Peace of the said citie, or by iiii. of them, or that haue bin appzntice to the same occupation and mistery of felts and Hats making by the space of seuen yerres, and in like case, vnles such person or persons that shall so make or weaue Dornecks, or so occupy the occupation or mistery of Dornecks weauing within the said Citie or Countie, be licenced or admitted so to do by the Maior, Recorder, Steward, and two Iustices of the Peace of the said Citie, or by iiii. of them, or that haue bin appzntice to the said mistery and occupation of Dornecks weauing by the terme of vii. yerres: And vnles he or they that shal so make or weaue Couerlets, or so occupy the artes or mistery of Couerlets weauing or making, be licenced and admitted so to doe by the Maior, Recorder, Steward, & two Iustices of the Peace of the said Citie, or by iiii. of them, or that haue bin appzntice to the occupation and mistery of Couerlets weauing or making by the space or terme of vii. yerres, 5. & 6. Ed. 6. 24.

Hats, Felts.

Dornecks
weauing.

Weauing Co-
uerlets.

Couerlets &c.
shalbe woanen
in a Corporat
or Market
Towne.

6 No person or persons shall make any felts or Hattes, or weaue or make any Dornecks, or Couerlets, as aforesaid, or occupy, exercise or vse the occupation, Arts, or misteries of making of Hats or felts, or weauing or making of Dornecks or Couerlets, or any of them, as aforesaid, in any place out of the said Citie of Norwich within the said county of Norfolk, but onely in a corporat or market towne, vpon paine of forfaiting, aswell the the felts, Hats, Dornecks and Couerlets & euery of them, which shall be made, wrought, or woouen, contrary to the tenor of this act, or of any part or clause thereof: As also x. s. for euery halfe doulin of the said felts or Hats, and of iiii. s. iiii. d. for euery Couerlet, and of vi. s. viii. d. for euery vi. yardes of Dornecks, so, as is aforesaid, to be made, woanen or wrought, contrary to this Act. The one halfe of which forfaitures, to be to the Queene her heires and successors: And the other halfe thereof, to the person or per-

sons, that shall or will seise the same, or that will or shall sue for the same, or for any part thereof, in the D. Court of Guild hall, within the said City of Norwich, or in any other of the D. Courts of Record within this Realme of England, by A. of detinue, debt, W. B. I. or otherwise, wherein no E. W. I. or foraine plee, to the iurisdiction of the Court, shall be allowed 5. & 6. Ed. 6. 24.

7 Provided alway, that all and every such person or persons, as do now dwell, or hereafter shall dwell and exercise the misterie of Doznekes and Couerlets making within the towne or parish of Pulham in the said countie of Norff. shal and may occupy & exercise the making of doznekes, and Couerlets, within the said towne of Pulham, as they haue heretofore used to doe: Any thing &c. notwithstanding, 5. & 6. Ed. 6. 24.

8 If the Maioz, Recorder, Steward, or Iustices of peace, of the said citie, for the time being, or any of them, shall take any summe of money, or reward, for admitting of any person to occupy or vse any of the arts, or misteries aforesaid, for every such time, and every such case, the person so offending, shal lose and forf. v. li. to the D. and J. that will sue for the same as is aforesaid, 5. and 6. Ed. 6. 24.

Officers taking money for admittance.

Counterfait letters and tokens.

Who soeuer shall falsely and deceitfully, get into his hands or possession any money, goods, cattels, iewels, or other things of any other persons, by colour and meanes of a priuie token, or counterfait letter, made in any other mans name, and that be proued by confession, or examination of witnes, taken before the L. Chancelor, or before the Queens Counsel in the Starre Chamber, the Iustices of Assise in their circuites, the Iustices of peace in their generall Sessions, the Iustices of any citie or towne corporate, or by action in any of the Queenes courts of Record: shal haue such correction by imprisonment of his body, setting vpon the pillorie, or otherwise by any corporal paine (except death) as shall be vnto him adiudged, by the persons before whom he shalbe conuicted, & besides the partie griued shall haue such remedie by action or otherwise for the same mony, goods, &c. as he might haue had, if this act had neuer bin made. 33. H. 8. 1. S. Iustices of peace 54.

Coopers.

If any Cooper do sel any Barels, Kilderkins, Firkins, or other vessels, for Ale, Beere, or Sope to be vterred therein, aboue such prices which shalbe assessed by the Iustices of the peace of the shire in their Sessions, or by the Maioz, bailife, or other head officer of the citie, borough or towne corporate, where the said vessels shalbe made or offered to be sold after proclamation thereof made, he shall forf. for every vessell sold at a greater price iii. s. iiii. d. to the D. and J. to be recovered by Action of det, wherein no W. &c. E. W. &c. 8. El. 9. S. Iustices of peace. 79.

Iustices and head officers may set prices of vessels.

The contents
of Ale & Beere
vessels.

2 Every Cooper shall make his vessels for Beere and Ale, of good and seasonable wood, & shall make a Beere barrel to containe xxxvi. gallons, a kilderkin for beere, xviii. a firkin for Beere, ix. a barrel for Ale, xxxii. a kilderkin for Ale, xvi. a firkin for Ale, viii. gallons of the Q. Standard, or els he shall forfeit for euery vessel so not made, xii. s. to the Queene & J. to be recouered by A. J. &c. wherein no. w. &c. E. p. &c. And no Cooper shal make any vessel for Beere or Ale, to be sold, of any greater or lesser number of gallons then is aforesaid, vnles he shall cause to be marked vpon euerie such vessell the certain number of as many gallons as it shall contain, that enery person may know the content. And if he marke not his vessell with his owne marke, he shal forfeit iii. s. iii. d. 23. H. 8. 4.

Diminishing
of vessels.

3 Whosoener doth diminish any barrel, kilderkin, or firkin, to the deceit of any other, by taking out the head, or any staffe from such vessell, shal forfeit iii. s. iii. d. be punished at the discretion of the head Officer, before whom the default shall be presented, and the vessell shall be burned. 23. H. 8. 4.

Vessels brought
fro beyond the
seas gauged.

4 No Brewer shall sell, utter, or put to sale any Beere or Ale in any Butts, Pipes, Puncheon, Hogheads, tierces, or other such vessels brought from beyond the seas within the Citie of London or suburbs of the same, or in any other place or places within two miles compasse without the same suburbs before the same shall be lawfully gauged, and the true content of euery such vessel set downe vpon the same, by the gallon appointed and allowed for Beere and Ale according to the Standard, by the Master and Wardens of the misterie of Freemen of the Cowpers of the Citie of London or their deputie or deputies: Nor shall sell, utter, or put to sale any Beere or Ale in any such vessel or vessels in any other place or places within the realme of England & Wales, before the same shall be lawfully gauged, and the true content of euery such vessell set downe vpon the same by the gallon aforesaid, according to the Standard, by such as by the statute in that behalfe made (An. 23. H. 8. 4.) are to haue the gauging of barrels, kilderkins, & firkins made for Beere or Ale to be put in, in such other place or places within the realme of England & Wales, vpon paine to forfeit. all and euery such vessel & vessels wherein any Beere or Ale shall be uttered, sold or put to sale, contrary to the true meaning hereof. And also all the Beere or Ale which shall be at the time of such uttering, selling or putting to sale therein contained, to him or them that wil seise the same, and vpon paine also to forfeit. for euery such vessel wherein Beere or Ale shall be so uttered, sold, or put to sale x. s. to the Q. & J. to be recouered by A. B. p. J. or otherwise, wherein no E. p. A. J. &c. 31. El. 8. 39. Eliz. 18.

See Corpora-
tions 15.

What shall be
taken for the
gauging of
vessels.

5 There shall be taken for the gauging of euery such vessell within the citie of London & suburbs of the same, & in euery place within two miles compasse without the same suburbs, by the Master & Wardens of the misterie of freemen of the Coopers of the citie of London for euery But i. d.

for euery Pipe i. d. for euery Puncheon ob. for euery Hoghead ob. for euery Tierce ob. & for euery other vessel which shall at any time be brought into this Realme from any y parts beyond the seas, wherein Beere or Ale shall be uttered, sold, or put to sale within the said Citie or Suburbs, or any other place or places within two miles compasse without the same Suburbs after like rates & no more. And there shall be taken for the gauging of euery such vessel or vessels in euery other place within the Realme of England and Wales, by such person & persons as by the said statute made (An. 23. H. 8. 4.) are appointed for gauging thereof, after such like rates as are herein befoze appointed to be taken for gauging within the citie of London & suburbs of the same, & in other places within two miles compasse without the same suburbs. 31. Eliz. 8. 39. Eliz. 18.

6 This act shall extend to euery person which shall vse or occupy the mistery of Brewyng, as wel English bozne as Strangers. And it shall bee lawfull to euery person which shall haue authorizty by vertue of this act to gauge any vessel or vessels by this act meant or intended to be gauged, to reteine euery vessel which shall be gauged according to the meaning of this act, vntil the money which shall be due for the gauging thereof, shall be truly satisfied and paid. 31. Eliz. 8. 39. Eliz. 18.

This act extē.
deth to al Bre-
wers English &
Strangers.
Reteining of
the vessels vn-
til the gauging
money be paid.

7 The Master & Wardens of Coopers aforesaid or their sufficient de-putie or deputics within the space of xlviii. houres next after any reasonable request to the or any of them made, shall come to any Brewer or brew-ers house, or other place in the said citie of London or suburbs thereof, or 2. miles distance of the same whereas their caskes shall be, & there with all reasonable expedition, shall gauge & marke the same caskes & euery of the, vpon pain for euery default, to forf. to the party by or for whom such request as aforesaid shall be made, the summe of xx. s. to be had & recovered by the said party against the corporation of Coopers aforesaid by action of debt in any of her Ma. courts of Record at West, or elsewhere, in which action no C. P. or W. &c. shall be admitted or allowed. 31. El. 8. 39. Eliz. 18.

The warden of
Coopers shall
come to the
Brewers house

8 If any Scottish man, or any stranger shall bring from Scotland or from beyond the seas to the said Brewers or any of the, any manner of for-aine caskes, & shall require to haue Beere put into the same, and wil trans- port the same beere from hence, either into Scotland, or ouer the seas there to be drunke, then in euery such case it shall and may be lawfull to and for the said Brewers, or any of them, to fill all such caskes with Beere at such a rate & reckoning, as he and his marchant can agree without hauing the said Caskes or any of them gauged or marked as is aforesaid, and without incurring any penalty thereto: this Act &c. notwithstanding. 31. Eliz. 8. 39. Eliz. 18. This Act to continue to the ende of the Parliament next ensuing.

Vessels filled
with Beere to
be transported.

I That no Ale or Beere brewer shall occupie the mistery of Coopers.
See Brewers I.

Countie or Shire Court.

County courts
shal be kept
monethly.

NO County court shalbe longer deferred, but from one moeth to another, and the said court shalbe kept euery moneth & none otherwise. 2. Ed. 6. 25. And in like sort shall the Countie Courts in the xii. shires in Wales, and in the Countie of Hummouthe, be kept. 34. H. 8.

In what
townes the
shire Courts
of seuerall shires
shalbe kept.

2 The Sherife of the countie of Northumberland shall keepe the countie court of that shire in the towne and Castle of Alnewike and in none other place. 2. Ed. 6. 25. The shire court for the Shire of Suffex, shall bee kept one time at Chichester, & another time at Lewes, alternis vicibus for euer. And if any Shire Court be holden to the contrary all things therein done shall be boide. 19. H. 7. 24. The Sherife of the Countie of Chester is bound to keepe his Shire Court in the Shire hall of the said County. 33. H. 8. 13. And the Sherifes Shire Courts in Wales of the County of Brecknock, shalbe holden at Brecknock, of Radnor, at new Radnor, and Preston, Of Mountgomery, at Mountgomery & Baghenleth, Of Denbigh, and Wirrham, Of Monmouth, at Monmouth & Newport, alternis vicibus. Anno 27. H. 8. 26.

Wales.

I Within what time Sherifes in Wales shal keepe their County Courts and Hundreds, and what fees they shall take therein, See Wales 41.

Courts.

Suites for the
Queenes debts
shall be in the
Courts where
they shalbe due

ALl and euerie suit and suites, which hereafter shall be had, made or taken, of, for, or vpon any debt or dueties which heretofore hath growen or bin due or that hereafter shall grow or be due to the Queene in the seuerall offices and Courtes of her Eschequer, Duchie of Lancaster, Master of the Wardes and Liueries, or in any of them, or by reason or authority of any of them, shall be seuerally sued in such one of the said Courts, and Offices, in the which Court and Office, or by any occasion of the which Court and Office, the same debt or duty did first grow or become due, or hereafter shall grow or become due, or in the which Office or Court the Recognisance, obligation, or specialties, is, or shall be or remaine: and euery such seuerall suite and suites, shalbe made in euery of the said seuerall Offices and Courts vnder the seuerall Seales of the said seuerall Courts, by Capias, Extendi facias, Sub pena, Attachment, and proclamation of alleageance if need shal require, or any of them, or otherwise, as vnto the said seuerall Courts shalbe thought, by their discretions, expedient for the speedy recovery of the Queenes debts. And the said court of Eschequer, and all and euery of the said courts, shal haue whole & full authority, and power to heare and determine all and euery such suit & suits, as shalbe taken, commenced and pursued for the intent aboue specified, & thereupon to award, make and doe execution, by and vpon the body, landes and goods, of the party or parties that so shalbe condemned accordingly: And also shall haue full power and authority to heare and determine all and all maner of debts, detinues, trespasses, accompts, reckonings, wasts, disceipts, negligences, defaults, contempts, complaints, riots, quarrels, suits,

The authority
of the Courts
of Eschequer
wardes and
duchie.

suits, strifes, controuersies, forsaitures, offences, and other things whatsoever they shall be, which hereafter shall growe, be moued, stirred, procured, or arise, in, for, or vpon any matter, cause or other thing, assigned committed or appointed, or hereafter to be assigned, committed, or appointed to the seuerall directions, orders and gouernances of the same Courts or any of them, or, for, or vpon any maner of thing or things, which may or shall touch, or in any wise concerne the same, wherein the Queene shall be onely partie: And also all maner of states for terme of yeres betweene partie and partie, concerning the premisses: and to correct and punishe by their discretions, all and euery person and persons, which before them shall bee convicted of any of the premisses, according to the nature, qualitie, and quantitie of his or their offence or offences, cause or causes, matter or matters (all and all maner of treasons, murders, felonies, estates, rightes, titles and interestes, as well of inheritance as of freeholde (other then Jointures for terme of life) onely excepted and alwaies reserved) 33. H.8. 39.

2 Euery of the said Courts shall haue full power and authoritie, to set such fines, penalties, and amercedments vpon parties, Sheriffs, officers and other persons, for his and their defaults, contempts, negligences or misdemeanors, as vnto the said Courts or vnto any of them, shalbe reasonably considered and thought expedient. And all and euery trial and trials of all and all maner of suits, bills, plaints, informations, declarations, complaints, answeres, replications, allegations, causes, matters and issues, or any of them, to be pursued, made or tried in the said seuerall Courts, or any of them, shalbe made & tried by due examination of witnes, writings, proofes, or by such other waies or meanes, as by the said seuerall Courts, or by any of them, shall be thought expedient: And all and euery such iudgement and iudgements, decree, or decrees, examination and examinations, shalbe good, perfect, and in full strength, force and effect in the Law to all intents and purposes. 33. H.8. 39.

Amercing of offenders.

Trials

3 The same seuerall head officers, for the time being, in euery of their said seuerall courts, shall haue full power & authoritie, to discharge, cancel, and make void, by his or their discretion, all and singular recognisances made in the said court, for any apparance, or other contempt: And the same head officer or officers, and the parties so bounden and to be bounden to be discharged against the Queene, her heirs, executors, and successors, for the cancellation of the same recognisance. 33. H.8. 39.

Discharging of recognisances.

Custos Rotulorum.

The Chauncelor of England, or L. Keeper of the great Seale for the time being, shall from time to time without any bill to be assigned with the Queenes hand, name & appoint such person to be Custos Rotulorum, within euery shire of this Realme of England, Wales, and other

The Lord Chauncelor shall appoint the Custos Rotulorum.

the Queenes dominions, Marches, & Territories of the same, as by the discretion of the said Lord &c. shalbe thought meet to haue any exercise the same. And the said person so appointed shall and may exercise & enjoy the same office of Custos Rotulorum by himselfe, or by his sufficient deputie or deputies. 3. Ed. 6. 1.

These may appoint the Custos Rotulorum.

2 But the Bishops of Yorke, of Durham, of Ely, and euery of their successors, the Chancelor of the Duchie of Lancaster for the time being, and euery person, corporation, & body corporat, which haue authoritie, by lawfull meanes, to ordaine any of the said Offices of Custos Rotulorum within any place, shal & may enjoy the same authoritie, according as they haue had the same, this act &c. notwithstanding. 3. Ed. 6. 1.

Customes, Subsidies, Customers, Comptrollers
and Searchers.

Subsidie of
Tonnage and
Pondage.

ANno 1. Eliz. A subsidie of Tonnage was granted to her Maiesty during her life. That is to say, of euery tun of wine comming into this Realme by way of marchandize iii. s. And of euery tunne of sweete wine comming in by any marchant Alien, iii. s. more aboue the first iii. s. of euery Aune of Renish wine brought in by any marchant xii. d. And also another Subsidie of pondage was granted, that is to say, of al goods of euery marchant Denizen & Alien, to be caried forth or brought into this realme by way of marchandise, of the value of euerie xx. s. of the same goods xii. d. And of euery xx. s. value of Tinne & Pewter vessel caried forth by any marchant Alien xii. d. more beside the first xii. d. (excepting out of the said Subsidie all Tollen cloth made within England, & by euery or any marchant Denizen and not borne Alien, to be caried forth, and all wools, woolfels, hides, & backes of leather, to be caried forth of this Realme, and all wines, fresh fish and Bestial comming into this realme.) Also another Subsidie was granted to her Grace, viz. of euery marchant Denizen of & for euerie sack of wool, 3 3. s. 4. d. for euery ccxl. woolfels, three and thirty shillings and 4. d. for euery last of hides and backes, iii. li. vi. s. viii. d. Of euery marchant Stranger, as wel Denizen as other, for euery sack of wool iii. li. vi. s. viii. d. of euery ccxl. woolfels, iii. li. vi. s. viii. d. of euery last of hides and backes, iii. li. xiii. s. iiii. d. and so of all wools, woolfels, hides and backes after the rate. If any marchandise aforesaid, whereof the subsidie is due to the Q. Maiestie, shalbe shipped to the intent to be caried beyond the seas, or else be brought from thence into any place of this Realme, and there laid on land by way of marchandise (the Subsidie due for the same not paid, or the Collector of the same or his deputie, with the agreement of the Comptroller and Surueyor, or one of them not agreed within the custome house) the same shalbe forfeited to the Q. & to him that will seise or sue for the same. But if any goods, marchandises, wools, woolfels, or leather, or any part thereof, of any marchant Denizen naturally borne the Queenes subiect, which shall passe out of this Realme during the time of

A Subsidie of
wools, woolfels, Leather.

Marchandize
transported &
the Subsidie
unpaid.

this

this grant, shal happen to be taken with enemies or Pirats vpon the sea, or perished by ill fortune in any ship that shalbe taken or perished, whereof the subsidies due to the Queene shalbe (in forme aforesaid) duely paid or agreed for, & that found and proued before the Treasorer of England, or the chiefe Baron of the Eschequer, by the examination of the marchants if they be alieue, or of their executors or administrators if they be dead, or two credible persons or other reasonable witnesses swozne, then the same marchants Denizens (owners of the same goods perished or lost (if they be alieue: or their executors & administrators if they be dead, & euerie of them, when them liketh, shal newly ship as much other marchandises &c. in the Port or Ports, in which the other perished were shipped, without any subsidie to be paid to the Q. And all profits of the premisses so to be lost, shalbe certified by the Treasorer or chiefe Baron into the Chancery, there to remaine of Record: And after such certificat, the Chancelor or Lord Keeper, shal make vnto the said marchants, their executors or administrators, or to their attorney in that behalfe, as many & such writs and warrants, to be directed aswell to the collectors of the Subsidie, or any, or euery of them, as to the Treasorer and Barons of the Eschequer shal be thought needful, for the said marchants, their attorneis, or the said Collectors or any of them, to haue for the obtaining as well of the shipping, as of the allowance thereof. 1. Eliz. 19.

2 Euery marchant Denizen that shal ship any wooll, woolfels, hides, or other goods and marchandises in any Caricke or Galley, shal pay the Queene all maner of customes, and all the foresaid subsidies, as any Alien borne out of this realme, 1. Eliz. 19.

Denizen shipping in a Caricke or Galley shall pay Customs as an Alien.

3 Like Custome and subsidie shalbe paid for such sweete wines which come through the Straites of Harrocke, otherwise Mallegay, being brought from the same place, where the Malmesey is, and of the same nature of Grape, as is and hath bin accustomed to be paid for Malnseys. 1. Eliz. II.

Custome of sweete wines.

4 The Queene, her heires and successors, shal receiue by the Customers and Officers of her Ports, for the Custome or Pondage of euerie quarter of wheate to be transported (by force of the statute made 13. Eli. xii. d. and of euery Quarter of any other graine, viii. d. And of euery quarter of wheate that shalbe by any special licence transported (& not by force of the said statute) li. s. and of euery quarter of other graine xvi. d. notwithstanding any words that shal be contained in any licence to the contrary, which said seuerall summes so taken as Custome or Pondage, shal be in full satisfaction of all maner of Custome or Pondage for the said Cozne and graine, by any constitution, order, statute, law, or Custome heretofore made, vled, or taken for transporting of any such maner of Cozne or graine 13. Eliz. 13. See Corne 7. And the Queene her heires and successors shal haue and receiue by the Customers and officers of her Portes, for the Custome

The Custome of corne transported.

Customes, Subsidies, Customers, &c.

stone or Pondage of euery quarter of wheate, to be transported by force of the statute made Anno 35. of her raigne, ii. s. and of euery quarter of any other grain, xvi. d. which said seuerall summes so to be had or taken as Customs or Pondage, to be in full satisfaction of all maner of Customs or Pondage for the said Cozne or graine, by any constitution, order, statute, law, or custome heretofore made, vsed or taken for transporting of any such maner of cozne and graine. Provided alwaies, that this act, or any thing therein contained, shall not be prejudicial or hurtfull to any former Letters patents or licence granted by her Maiestie to any person or persons, bodie politike or corporate, for the transportation of any cozne or graine, either at any lesser customes, or subsidies, then is contained in this present Acte, or without any custome or subsidie, but they and euery of them, their deputies and assignes, shall & may transport graine hereafter for the time in their seuerall Letters patents specified, either at such prices and rates, or without Customs or Subsidie in such maner and forme, as in the sayd Letters Patents is contained, according to the forme & effect of the same Letters Patents, and in such maner and forme, and not otherwise, to all intents and purposes, as if this present act had neuer bin had, or made. 35. Eliz. 7. S. Corne 6.

Sea fish transported without Customs.

5 Euery subiect of the Queenes, that shall transport in any ship, or other vessels, of any of the Queenes subiects with crosse sailes, any Herring, or other sea fish, taken vpon the seas by any of the said subiects, out of any port or Harbourogh of this Realme, shall be free from payment of any Customs, Subsidy, or Pondage money for the same fish. 5. Eliz. 5. 35. El. 7. to continue til the end of the next Parliament. S. Ships. 1.

The subsidy of Leather, calues skins, and tallow.

6 Euery person that shall ship, or carie any leather, tallow, or rawe hides, beyond the Sea (other then Scottish hides brought to Warwicke out of Scotland. 5. El. 8.) shall pay to the Q. her heires and successors for euery hide so caried by the name of a Subsidie x. s. For euery dozen of Calues skinnies iii. s. iiii. d. And for euery C. pound weight of Tallow, vi. s. viii. d. And all Customers, Comptrollers, Farmors and Superuisors of Customs and Subsidie shall be accomptant to the Q. &c. to pay the said Customs and Subsidie for all such goods entred and laden, vpon paine to forfeit the treble value, and to make fine and ransom. 18. El. 8. 3. H. 6. 3. S. Leather 33.

Unlawfull Leather.

7 If any Leather wrought, cut, or unwrought to the intent to be sold or bartred, shall be unlawfully transported or purposed to be transported beyond the Sea out of any Port, Hauen, or Creeke of this Realme, or Wales, euery Comptroller, Customer, Surueiour, Collectour of Tonnage and Pondage, and Searcher, and the deputie of any of them, or any other person hearing or knowing of any Leather meant to bee transported from any place within his Office, and doe not his best indouour to seise the same, or being transported doe not disclose or cause to be disclosed

sed the same, within xl. daies next after knowledge or hearing of the same in some Court of Record, so as the offendor may be punished according to the law, he shall for the first offence forfeit a C.li. and for the second, lose his office. And every Customer, Officer or his deputy, that shall make any false Certificat of the arrival of any Leather in any Port, Creeke, or place of this realme, shall forfeit for every offence a C.li. 5. Eliz. 8.

8 No English Marchant shall pay for the Custome of a sacke of wooll, but vi. s. viii. d. 14. Ed. 3. 21. No marchant Alien or Denizen shall be compelled to pay any Custome for their Canuise or Cozners with which their woolls be packed, 34. Ed. 3. 19. Custome of wool.

9 Every Customer or Comptroller shall take sufficient suertie of every Marchant Alien, vitailer, or other Stranger to imploy the money received for his merchandise, upon the commodities of this land, or to put the same money for the merchandise received in due payment, (his reasonable expences deducted) upon paine of forfeiture of the value of the said merchandise to the Q. and A. &c. 3. H. 7. 8. 17. Ed. 4. 1. S. Marchants 9. Money 3. Suerties of Strangers to imploy their money received &c.

10 If any Marchant Denizen, or Stranger shall sell, or offer to sell any cloth of Gold. Siluer, Bowdkin, Ueluet, Damaske, Satten, Tartaron, Chamlet, or other cloth of silke, or any Cozse of silke and of Golde, or any Cozse of silke made beyond the Sea, before the Collectors of the Subsidie of Tonnage and Pondage, and the Comptroller of the same, in the Port where such merchandise is set upon land, haue surueyed, measured, and sealed every peece thereof, in the one end with the Seale ordeined for the same, he shall forfeit the same or the value thereof. 14. Ed. 4. 3. And if any Collector, Comptroller, or any of their Clerks do take any thing for sealing any of the foresaid pieces, he shall forfeit for every time xx. li. And if any of them do vnrasonably delay any Marchant about the sealing of such merchandise, he shall forfeit for every offence xl. s. to the Queene and partie grieved, to be recovered by A. J. &c. wherein no W. &c. E. W. &c. 4. H. 8. 6. Silke shall be surueyed and measured by the Customer.

11 Any person made or to be made Denizen, shall pay for his merchandise like Custome & Subsidie inward and outward, as he should haue paid before he was Denizen. 1. H. 7. 2. 11. H. 7. 4. 22. H. 8. 8. The officers shall take no reward, nor delay the marchant.

12 Every subiect bozne in Englande, and swozne to be subiect to a forreine Prince, so long as he shall abide & be subiect to a forreine Prince, shall pay such Customes, Subsidies, Colles, and other impositions within this Realme, as other Strangers of those parts where the said English man maketh his habitation, vse to pay. But if after any such person do returne into the Realme here to inhabit, then hee shall bee restored to such liberties, in paying of Customes and other charges, as other English men vse to pay and haue a writ out of the Chauncery for the same. 34. H. 8. 4. Aliens made Denizens.

Customes, Subsidies, Customers, &c.

Goods brought
into one port,
and then remo-
ued to another.

13 Every Marchant which shall bring any goods into any Port in this Realme, and there doth enter the same in the Customers Bookes, and pay unto him the Queenes duety, and wil after cary the same goods from thence, into any other Port within this Realme, shall bring from the Customers of the Port where the goods were entred, a Certificat under their Seales directed unto the Customers of the port whereto the goods shalbe conueied, making mencion therein of the colour, length, weight, content and value of al the goods so entred, and the Customer, or Officer to whom such certificat shal come, shal take nothing for the sight of the same goods. And if any of the said goods shall be discharged, unpacked, or put to sale within any Port (other then the same where they shall be first entred) before the said Certificat be deliuered, and the same goods seene, then they shall be forfait to the Queene and him that will proue such forfaiture. 3. H. 7. 7.

Certificat en-
tered into the
Customers
Bookes.

14 If a Certificat be made by the Customer of any Port whereunto such marchandises shalbe first brought, and there in their Bookes entred, not making mention, as is aforesaid, the Customer shal lose his Office, and make fine to the Queene at her pleasure. 3. H. 7. 7. The Custome and Subsidie of all wollen clothes to bee shipped and caried ouer the Seas (wheresoeuer they be packed) shall be paid to the Customers of the Port where any such clothes shall bee laden or shipped, or to their Deputies. 11. H. 7. 6.

Wollen cloths
packed in one
port & shipped
in another.

Warrants of
discharge to
the Marchant
paying the due
customes.

15 Every Customer or Comptroller which will not write, & deliuer sufficient warrants sealed with the seale of their Office, to any Marchant shewing and duely customing his marchandises in the discharge of the same (without any thing receiuing therfore) but onely the due custome, shall forfeit for euery offence to the Q. r. li. & to the Marchant grieved v. li. for the which the said Marchant shal haue an action. 12. H. 6. 15.

No man shal
enter goods in
an other mans
name.

16 No person, Denizen or Stranger, shal enter into the bookes of any Customer, or other Officer of any Port or Hauen, or his Deputie or seru-
uant any goods, wares, or Marchandises whatsoeuer brought into the Q. dominions, or to be transported forth of the same, in name of any other person then the very true owner of the same goods, being not sold or bargained for, by any person before such entry, or before the arriuall of such goods or marchandises into the parties beyond the Sea, vpon paine of forfait of the value of the goods so entred. 1. El. 11. 1. H. 8. 5. 14. E. 3. 21. And who-
soever doth Cocket wools but in the name of him whose the wools be, shal forfeit them. 13. R. 2. 9.

Cocketing
wools.

Customing of
others goods
whereby the
Queene loseth
her duetie.

17 If any Marchant Stranger, Denizen, or other the Queenes sub-
iect, shal Custome any goods or Marchandises of any other, whereby the Q. shal lose her Custome, Subsidie, or other right, or duety, he shal forfeit all his goods and cattels personals for euer, to the Queene and A. that wil sue within thre yeres, to be recovered by A. J. &c. wherein no W. &c. E. P.

Ec.

Ac. 3. H. 7. 7. 1. H. 8. 5. 2. Ed. 6. 22.

18 If any person inheriting in the cinque Ports, or other being free of prisage or butlerage of wines by graunt, custome, or otherwise, do custome the wines of any other person being not free, he shall forfeit all his goods and cattels personals to the Q. and J. that will sue within iii. yerres, to be recovered by A. J. wherein no W. & C. P. & C. 1. H. 8. 5. 2. Ed. 6. 22.

Customs of
wines.

19 If any Customer, Comptroller, or his Deputie will suffer by couin or other vndue meanes, any person after that his Brasse, Latten, Copper, Mettall &c. is shipped or caried, contrary to the meaning of the statute in that case provided, do make an Obligation without date for the discharge and certificat of his Mettal, then he shall lose his Office, and the value of the Mettal. And if any Customer or searcher do willingly suffer any of the Metals aforesaid to be shipped contrary to the meaning of the said Act, or els hauing knowledge that it is secretly shipped, or caried, do not seise the same to the Q. vse, then he shall lose his office, and the value of the said Mettal. 33. H. 8. 7. 2. Ed. 6. 37. S. Brasse 3.

Brasse Mettal
remoued from
one Port to an
other.

20 If a common Officer, in any Citie, Borough or Towne, or his Deputie, do take vpon him to be Customer, Comptroller or Searcher in any Port in the same Citie, Borough or Towne, he shall forfeit for euery halfe yere that he occupieth both the said Offices x. li. to the Queene and J. & C. 3. H. 7. 7.

Common offi-
cer of a towne
shalbe no Offi-
cer in the Cu-
stome there.

21 If a Customer, Comptroller of the Custome, Clerke, Deputy, Minister, seruant, Factor, or Searcher, Comptroller or Surueior of Searchers, or any of their Clerkes, deputies, ministers, or factors shal haue any ship of his owne (14. R. 2. 10. or shall buy or sell by way or colour of marchandise, or meddle with the freighting of ships, or haue or occupy any Wharfes or Keyes, or keepe any Inne or Tauerne (11. H. 4. 2.) or shall be Factor or Atturney for any Marchant Denizen or Alien, or shall be host to any Marchant Stranger, he shall forfeit for euery such offence xl. li. to the Q. and J. & C. 20. H. 6. 5.

No Customer
shall haue a
ship, vse mar-
chandise, keepe
a Wharfe, an
Inne, or be a
Factor.

22 If any Customer, Collector, or Comptroller of the Queenes customes, of cockets, of Clothes, Subsidies, Tonnage or Pondage in any place of this Realme, do falsely conceal the Queenes Custome or Subsidie duly entred and paid by any Marchant, and be thereof duely attainted or convicted at the Q. suit, he shall forfeit the treble value of the marchandise so duely customed, and also pay a fine. 3. H. 6. 3. And euery Customer vpon the yeelding of his accompt in the Eschequer, shalbe swozne to aunsweere to the Q. all profits without fraud. 4. H. 4. 20.

Customer con-
cealing the Q.
Custome.

23 The Customers and Comptrollers in euery Port of Englands shall abide vpon their Offices in their proper persons, without making any Deputie or Lieutenant in their names 1. H. 4. 14. And thereunto they shall be swozne, and he which doth the contrarie shall forfeit C. li. and be imprisoned. And the like summe shall a Searcher, and the Lieutenant of

The Customer
swozne.

Which Custo-
mers may
make deputies,
and which not.

Customes, Subsidies, Customers, &c.

of the Queens chiefe Butler for. if he do not abide vpon his Office, or do make Deputie. 4. H. 4. 20. But the Customer of Lynne shall haue a seru-
uant or Deputy, continually resident at the Citie of Wyke. And euery o-
ther Customer, Comptroller and Searcher of euery Port shall assigne to
and in euery of the Ports of London, Southampton, Bristow, Westche-
ster, Newcastle, and the suburbs of the same, and in euery port, creeke or
rode (where the seruant of any of them haue bin continually resident by
the space of x. yerres, or hereafter shalbe Ione able & sufficient deputy or ser-
uant at the least. 1. Eliz. 11.

A Customer
shal continue
vpon his office.

24 If a Customer, Comptroller, Gager of wyne or Searcher, be ab-
sent from his Office by the space of thre weekes, he shall lose his Office,
except he be commanded to be in some of the Queenes Courts of Record,
or otherwise in the Queenes seruice of Record. 1. H. 4. 13. 4. H. 4. 20.
13. H. 4. 3.

Officers of the
Customs shall
be attendant.

25 Aswell euery Customer, Comptroller, and Searcher, as euery of
their Deputies and seruants, shall from time to time do their diligent at-
tendance at the howers, times and places (appointed by the statute made
1. Eliz. for laying on land marchandise) in the Customs house & elsewhere,
as it shall be most conuenient for the speedy dispatch of the Marchant, his
wares and marchandise, and for the due execution of the foresaid Act, in
such thinges as to him shall appertaine, without concealment or consen-
ting to any thing, which may be to the damage of the Queene, her heires
or successors, in the iust answering of her Customes and Subsidies, vpon
paine that euery such Customer, Comptroller, and Searcher shall forfeit
for euery offence his Office, C. li. to the Queene and J. wherein no W.
Ec. C. P. J. &c. And if any Officer pertaining to the Subsidie or Customs,
do know any offence committed contrary to any article of the said statute
and do not disclose it within one moneth, to the chiefe Officer of the same
Port, or to the Lord Chancelor, Treasurer, Barons of the Eschequer, or
Attorney generall &c. hee shall forfeit C. li. 1. Eliz. 11. See Marchants
5. 6. 7. 8.

1 That no Brasse, Copper, Mettall, &c. shall be shipped but out of a
Port where there is a Customer. S. Brasse 5.

2 What bonds, and vpon what paine a Customer shall take for the ca-
rying of Brasse or other Mettall from one Port of this Realme to another.
See Brasse 3.

3 That Masters of ships shall declare vnto the Customers when they
go forth, and when they returne. S. Marchants 7. 8.

4 For the Customers duetie in receiuing and selling of Hats brought
from any parts beyond the Sea, & the owners in paying of Customs, See
Hats. 8. 9. 10. 11.

5 What Customs Aliens shall pay for salted Fish and salted Herrings
brought into this Realme. S. Fish 19.

Damages.

Where any person shall sue forth or procure to be sued forth of the Kings Bench any (Latitat, Alias, or Pluries Capias) against any person which upon the same shall be arrested, or appeare upon the returne of any the said writs or proces, and shall put in his bayle to answer such suit as shall be objected against him. Then if the partie at whose procurement the same writ or proces was obtained, do not within three daies next after such baile taken, put into the same Court his declaration against the same partie against whom such writ or proces shall be sued: Or if after declaration had, the plaintife shall not prosecute the same with effect, but shall willingly and apparantly to the same Court suffer his suit to be delayed: Or shall after declaration suffer the same suit to be discontinued: Or shall be nonsuit in the same, then the Judges of the said Court shall by their discretions, as they shall perceiue any such default to be in the party, at whose procurement such writs or proces was sued forth, award to euery such person so arrested or troubled by such writs or suit, his costes and damages, and charges by any meanes sustained, by occasion of any such writs, proces, arrests or suits taken, had or sued against him, to be paid by such person, that so shall cause any such writs or proces to be sued forth. 8. Eliz. 2.

Damages where the pt doth delay his suit, doth discontinue, or is nonsuit.

2. If any person shall cause any other person to be attached or arrested to answer to any bill, plaint, action, or suit in the Court of the Marshalsey, or in any Court within London, or in any Citie, Borough, Town corporat, or other place, where any priuiledge is vsed to hold plea in any action personall, and do not in all Courts (hauing their continuance de die in diem) within three dayes next after the defendant shall be bailed, or otherwise appeare in Court, by force of any arrest or attachment had and returned, and in all other Courts, at the next Sessions or Court to be holden after such arrestes or attachments and apparance of the def. whereas the said def. ought to appeare (vnlesse a further day shall be especially giuen by the discretion of the Court from whence any precept, proces, or attachment shall be awarded) exhibit his bill or declaration against such person as so by his meanes shall be attached or arrested, into such Court where the partie ought to appeare, or if any such person at whose suit any such attachment or arrest of any person shall be so made, after his declaration, bill, or plaint exhibited, do not from thenceforth prosecute the same his suit with effect, or shall suffer the same to be discontinued, or shall after be nonsuit in the same, or willingly & apparantly to the same court, shall for veration of the def. delay the same suit, then the Judge or Judges of euery such court, shall forthwith by his or their discretion, as he or they shall perceiue any such default or delay in y party y procured any attachment or arrest to be had, award to euery such persn, which shall be so attached or troubled, his costs, damages, & charges by any means sustained, by occasiō of any such attachment, arrest, & suit so had against him, to be paid by

Suites in the Marshalsey, and corporate Townes.

Damages.

by such person that so shall cause any such attachment, or arrest to be so made. 8. Eliz. 2.

Arresting of
any person at
an others suit,
not knowing
thereof.

3 If any person shall by any meane maliciously, or for veration procure any other person to be arrested or attached, to answer in any y courts or places aforesaid, at the suit or in the name of any person, where in deede there is no such person knowen, or without the consent of such person at whose suit, or in whose name such arrest or attachment shalbe so had, then euery person that shall so procure any such arrest or attachment, and shall thereof bee conuicted, or lawfully accused by Indictment, presentment, or by the testimony of two sufficient witnesses or moe, or other due prooofe, shal for euery such offence by him committed or procured, suffer imprisonment sixe moneths without baile or mainprize, & before he shalbe deliuered out of the prison, shall pay vnto the partie so arrested or attached by his means treble the costes, charges, damages, and expences, that he shall be put vnto by reaso of such attachment so had, & shal also pay vnto such person in whose name or at whose suit he shal so procure such arrest or attachment to be made (if then there shall be any such person knowen) x. li. for euery such offence. 8. Eliz. 2.

A remedy for
the forfeitures
aforesaid.

4 Euery person to whom any costes, charges, damages, forfeiture, or payment of any money, by this Act shalbe awarded, or forfeited, may at all times haue his remedy for the recouery thereof by A. of debt, bill, or plaint, in any Court of Record, against such person, his heires, executors, or administrators, as ought to pay the same, by force of this act, wherein no W. T. W. &c. 8. Eliz. 2.

Damages in a
writ of Error
sued before
execution.

5 If any defendand or tenant, against whom iudgement to recouer is giuen, or if any other that shalbe bound by the said iudgement, sue before execution had, any writ of Error, to reuerse any such iudgement in delaying of execution, then if the said iudgement be affirmed good in the sayd writ of Error, & not erroneous, or that the said writ of Error be discontinued in the default of the partie, or that the person that sued such writ of Error be nonsuit in the same, then the said person against whom the said writ of Error is sued, shall recouer his costes and damages for his delay and wrongfull veration in the same, by discretion of the Justice before whom the said writ of Error is sued. 3. H. 7. 10. 19. H. 7. 20.

The def. shall
reouer his
costes in these
actions, if the
pl be nonsuit,
or the verdict
passe against
him.

6 If any person do commence, or sue in any Court of Record, or in any other Court, any action, bill, or plaint of trespassse vpon the statute of 5. R. 2. 7. for entries into lands and tenements where no entrie is giuen by the law: Or any action &c. of debt, or couenant, vpon any specialtie made to the plaintife, or vpon any contract suppoled to be made between the plaintife and any person: Or any action &c. of Detinue of any goods or cattels, whereof the plaintife shal suppose that the property belongeth to him: Or any action &c. of accompt, in which the plaintife suppose the defendand to be his bailife or receiuer of his manor, money, goods, &c. to yeeld accompt:

Or

Of any action &c. vpon the case, or vpon any statute for any offence, or wrong personall immediately supposed to be done to the plaintife, and the plaintife in any such action, bill, or plaint after apparance of the defendant be nonsuted, or any verdict happen to passe by lawfull triall against the plaintife, in any such action, bill, or plaint: Then the def. in euery such action, bill, or plaint, shall haue iudgement to recouer his costes against euery such plaintife. And that shall be assessed by the discretion of the Judge or Judges of the Court where any such action, bill, or plaint shall be commenced, sued, or taken. And also euery def. in such action, bill, or plaint, shall haue such proces and execution for the recouerie of his costes against the same plaintife, as the same plaintife should or might haue had against the def. in case that the iudgement had bin giuen therein for the plaintife. 23. H. 8. 15.

7 But all and euery such pooze persons, being plaintifes in any of the said actions, bills, or plaints, which at the commencement of their suites, or actions, be admitted by the discretion of the Judge or Judges where such suites shall be pursued or taken, to haue their proces & counsaile of charitie, without any money paying for the same, shall not be compelled to pay any costes by this statute, but shall suffer other punishment, as by the discretion of the Iustices or Judge before whom such suits shall depend, shall be thought reasonable. 23. H. 8. 15.

8 Euery auowant, and euery other person and persons that maketh any Auowzie, Iustification, or Cognisance, as bailie or seruant to any person or persons in any Replegiare, or Second deliuerance, for rents, customes, seruices, or for damage fasant, or other rents, vpon any distresse taken in any lands or tenements, if the same auowzie, conusance, or iustification be found for them, or the plaintifes in the same be nonsuit, or otherwise barred, then they shall recouer their damages and costes against the said plaintifes, as the same plaintifes should haue done, if they had recovered in the Replegiare or Second deliuerance found against the said defendants. 7. H. 8. 4. 21. H. 8. 19. S. Auowrie 2.

9 Albeit the plaintife shall be nonsuted in any whatsoever action, suit, bill, or plaint commenced or sued to the vse of the Queene, her heires or successors, kinges of England, or that it shall happen any verdict to passe against any such plaintife in any such action &c. the defendant shall not recouer any costes against any such plaintife. 24. H. 8. 8.

10 If any Informer or plaintife vpon any penall statutes, shall willingly delay his suit, or shall discontinue, or be nonsuit in the same, or shall haue the triall or matter passe against him therein by verdict, or iudgement of Law, in euery such case he shall pay vnto the def. his costes, charges, and damages to be assigned by the Court, in which the same suit shall be attempted, for the recouerie and execution whereof, the def. shall immediately vpon the same costes, charges, and damages assigned, haue his

He that is allowed in Forma pauperis, shall not pay costs, but be otherwise punished.

Auowant shall recouer costs & damages against the pt.

Actions sued to the Queenes use.

The informer shall pay costs & damages.

Damages.

Dayes in bank.

Capias ad satisfaciendum, Fieri facias, or Elegit to be awarded unto him out of the same Court, in which the same shall be so assigned, 18. Eliz. 5. 27. Eliz. 10. S. Action popular 4.

The alienance of the disseisor charged with damages.

Entre sur disseisin.

Mordaucester, Cofinage, Aiel, Belsiel.

Where damages shall be recovered, there costs shall be also

Recovery upon his owne intrusion.

The Queene shall recover costs & damages.

11 If disseisors do alien their lands, and haue not whereof damages may be leuied, they to whose hands such tenements shall come, shall be charged with the damages, so that euery one of them shall be charged with damages for his time. And the disseisee shall recouer damages in a writ of Entrie vpon disseisin, against him which is found tenant after the disseisour, Gloucester. 6. Ed. 1. 1.

12 Damages shall be awarded where a man recouereth by Assise of Mortdauncester, Cofinage, Aiel and Belsiel, Gloucester. 6. Ed. 1. 1.

13 In all cases where the demaundant shall recouer damages (being the value of the issues of the land) there he shall also recouer against the tenant, the costes of his writ purchased, with the said damages, Gloucester. 6. Ed. 1. 1.

14 Euery man shall be compelled to render damages, where recouerie is had against him vpon his owne intrusion, or act, which damages shall run after the writ purchased against him, though his auncestors died seised thereof, 6. Ed. 1. 1.

15 The Queene in all suites to be taken, vpon any specialtie made to her Grace, or any to her vse, shall recouer her iust costes and damages as other common persons vse to doe, in suites for their debts, 33. H. 8. 39.

1 That a woman shall recouer damages in a writ of Dower, from the death of her husband. S. Dower 1.

2 Where treble damages shall be recovered vpon Assise of common of pasture. S. Approuements 5.

Dayes in bank.

4. Daies of returne in Trinitie terme.

The beginning of Trinitie Terme.

In Trinitie Terme shall be fower common dayes of returne onely and not aboue, viz. the first day of returne shall be and be called in Crastino sancte Trinitatis, The second day of returne of the same Terme shall be and be called in octab. sanct. Trinitatis, The third day of returne of the same terme shall be and be called in quindena sanct. Trinit, And the fowerth day of returne of the same terme shall be and be called a die sancte Trinit. in tres septiman. And the same dayes of returne shall be obserued & kept in al the D. high Courts of Record to be holden at Westm, or other place or places, at the appointment or agreement of the D. her heires or successors. And there shall not be, nor be called any dayes of returne, in crastin sancti Iohan. Baptist. octab. sancti Iohan. Baptist. nor quinden sancti Iohan. Baptist. nor any of them, 32. H. 8. 21.

2 And the said Terme of the holy Trinitie shall peereley for ever begin the Monday next after Trinitie Sunday whensoever it shall happen to fall, for the keeping of the essoines, profers, returnes, and other ceremonies heretofore used and kept, in like maner and forme, as in times past

hath

hath bin vsed to be done in the day of retorne commonly called in Octab. sanct. Trinitat. And the full terme of the said Trinitie Terme shal yeerely fozeuer begin the Friday next after Corpus Christi day, in such and like manner and fozeue to all intents, as heretofore hath bin vsed the Tuesday next after Corpus Christi day. And the said second and third dayes of retorne called Octab. sanct. Trinitat. and Quinden sanct. Trinitat. shal take their commencement and begin as in times past hath bin vsed. And the said fowerth day called a die sanct. Trinit. in tres septiman. shall take his commencement & begin from the said Trinitie Sunday into three weekes then next following, and shall haue his retorne with the fowerth day, as is accustomed in other like dayes of retorne. 32. H. 8. 21.

3 If a writ come in Octabis sancti Michaelis, day shal be giuen there upon in octab. sanct. Hillarij. If in quinden. sancti Michael. in quinden. Hillarij. If in tribus septimanis sancti Michael. in crastino Purificationis. If in mense Michael. in octab. Purific. If in crastino Animarum in quinden Pasche. If in crastin. sanct. Martini, in tribus septiman Pasche. If in octab. sanct. Martini, in mense Pasche. If in quinden. Martini, in quinq; septiman Pasch. And also there is a day specially giuen in crastino Ascensionis, and it counteruailleth as much as quinq; septimanas Pasche, An. 51. H. 3. If any writ in any reall action come in and be returnable into any of the D. Courts in octab. sancti Hillarij, the day shal be giuen in crastin. sanct. Trin. If in quinden. sanct. Hill. in octab. sanct. Trinit. If in crastin. Purific. beatae Mariae, in quinden sanct. Trinit. If in octab. Purific. beatae Mariae, a die sanct. Trinit. in tres septiman. An. 32. H. 8. If in quinden Pasch. in octab. sanct. Michael. If in trib. septiman. Pasch. then in quinden sanct. Michael. If in mense Pasch. then in trib. septiman. sanct. Michael. If in quinque septiman. Pasch. or in crastino Ascensionis, in mense sanct. Michael. An. 51. H. 3. If any writ in any reall action come into any of the D. Courts returnable in crastino sanct. Trinit. then day shal be giuen in crastin. Animarum. If in octab. sanct. Trinit. in crastino sanct. Martini. If in quinden. Sanct. Trinit. in octab. sanct. Martin. If a die sanct. Trinit. in tres septiman. in quinden. sanct. Martini. 32. H. 8. 21.

Dates giuen in reall actions.
8. Returnes.

4 In a plea of Dower called (vnde nihil habet) fower dayes shall be giuen in the yeere at the least, & moe if it may conueniently be: So that they shal haue fower or fire daies at the least in the yeere. Marlb. 52. H. 3. 12. If the writ do come in octab. sanct. Mich. day shal be giuen until crast. Animar. If it come in quinden. Mich. day shal be giuen until crast. Mart. If in mense Mich. then in quinden. Mart. If in crast. Animar. then in oct. Hillar. If in crast. Mart. then in quinden. Hill. If in oct. Martin. then in crast. Purific. If in quinden. Mart. then in octab. Purific. If in octab. Hill. then in quinden. Pasche. If in quinden. Hillar. then in trib. septim. Pasch. If in crast. Purific. then in mense Pasche. If in oct. Purific. then in crastin Ascensionis. An. 51. H. 3. And if any writ of Dower come into any of the

Dates giuen in Dower.
4. Returnes.

D. Courts and be returnable, in quinden. Pasch. then day shalbe giuen in crastin. sanct. Trinit. If a die Pasch. in tres septim. in octab. sanct. Trin. If a die Pasch. in vnum mens. in quinden. sanct. Trinit. If a die Pasch. in quinq; septim. or in crast. Ascend. dñi, then day shalbe giuen into the day of a die sanct. Trin. in tres septim. And if any writ of Dower come into any of the **D.** Courts of record, in crastino sanct. Trinit. then day shalbe giuen in oct. sanct. Mich. If in oct. sanct. Trin. in quinden S. Mich. If in quinden sanct. Trinit. a die sanct. Mich. in tres septim. If a die sanct. Trinit. in tres septim. a die sanct. Mich. in vnum mens. or otherwise as is appointed, limited & declared by the statute of Marlebridge, 3 2. H. 8. 2 1.

5 In Assises of Darrein presentment, and in a plea of Quare impedit of Churches vacant, daies shal be giuen from xv. to xv. or from iii. weekes to thre weekes, as the place shal hap to be neere or far, Marl. 5 2. H. 3. 1 2. All common writs & proces aswell personall as mirt, which shall fortune to be returnable in Trinitie Terme, shall haue & keepe the said returnes of crast. sanct. Trinit. octab. sanct. Trinit. quinden. sanct. Trinit. and a die sanct. Trinit. in tres septiman, or any one of them. Provided alway, that in such and like cases and proces as speciall daies haue bin vled to be appointed, assigned, and giuen for the returning of writs & proces: It shal be lawfull to the Iustices of euery of the **D.** Courts of Record for the time being, in all the proces by them awarded, to assigne and appoint speciall daies of returnes, as by their discretions shall be thought conuenient. Provided also that the daies in Assise of Darrein presentment, and in plea of Quare impedit, limited & appointed by the statute of Marl. And also the dayes to be giuen in Attaine limited in stat. 5. Ed. 3. 7. being not contrariant to the tenour of this Act, shall be holden firme and stable, and shal stand in their full force and effect, An 3 2. H. 8. 2 1.

6 In Summons and Attachments in plea of land, the writs shall contain xv. daies full at the least after the common Law, if it be not in attachment of Assises taken in the **D.** presence, or of pleas before Iustices in Eire, during the eire, Artic. super chart. An 2 8. Ed. 1. 1 5.

The Leape
year.

7 The day increasing in the Leap yeere shall be accompted for one yeere, so that because of that day none shall be prejudiced that is impleaded, but it shall be taken and reckoned of the same moneth wherein it groweth, and that day and the day next going before, shall be accompted for one day. Bisextile, An 2 1. H. 3.

1 Dayes in Quare impedit and Assise of Darrein presentment. See Quare impedit. 1.

2 Dayes in Attaine. See Attaine 2. 1 2.

3 Dayes in a writ of Communi custodia. See Wardes 5.

4 Dayes in an action of wast. See Wast 3.

5 Dayes giuen in Admeasurement of pasture or dower. See Admeasurement. 1.

6 Dayes of grace giuen to him in the reuerſion which prayeth to be receiued. S. Reccit 3.

Demurrer.

After Demurrer ioyned & entred in any action, or ſuit, in any Court of Record within this Realme, the Judges ſhall proceede and giue iudgement, according as the verie right of the cauſe and matter in law ſhall appeare vnto them, without regarding any imperfection, defect, or want of forme, in any writ, retourne, plaint, declaration, or other pleading, proces, or courſe of proceeding whatſoever: Except thoſe only which the partie demurring ſhall ſpecially and particularly ſet downe & expreſſe together with his demurrer. And no iudgement to be giuen, ſhalbe reuerſed by any writ of Error, for any ſuch imperfection, defect, or want of forme, as is afoſeſaid, except ſuch only as is befoze excepted. 27. El. 5.

After demurrer iudgement ſhall be giuen, notwithstanding any defect in proces or pleading.

2 After Demurrers ioyned and entred, the Court where the ſame ſhall be, ſhall & may from time to time amend all & euery ſuch imperfections, defects, & wants of forme, as is befoze mencioned, other then thoſe onely, which the partie demurring ſhall ſpecially and particularly expreſſe and ſet downe together with his demurrer, as is afoſeſaid. 27. Eliz. 5.

The Court may amend defects of forme after Demurrers ioyned.

3 This Act or any thing therein contained, ſhall not extend to any writ, declaration, or ſuit of appeal of felonie or murder, nor to any indictment or preſentment of felonie, murder, treason, or other matter, nor to any proces vpon any of them, nor to any writ, bill, action, or information, vpon any popular or penall ſtatute: any thing afoſeſaid to the contrarie notwithstanding. 27. Eliz. 5.

Appeal, Indictment, and preſentment of felonie, murder, treason.

Information vpon penall ſtatute.

Dilapidations.

If any Archbiſhop, Biſhop, Deane, Archdeacon, Prior, Treasorer, Chaunter, Chauncelor, Prebendarie, or any other hauing any dignitie or office in any Cathedrall or Collegiat Church within this Realme, or any Parſon, Vicar, or other Incumbent of any eccleſiaſtical living, whereunto do belong any houſes or buydings, which by law or cuſtome he is bound to maintaine in reparation, do ſuffer any of his ſaid houſes or buydings to fall downe, or run in decay, and after do make any deede of gift, alienation, or other conueyance of his moueable goods or cattels in his life time, to the intent after his death to defeat his ſucceſſors of ſuch iuſt actions and remedies as otherwiſe they might haue had for the ſame, againſt their executors, or the administrators of their goods: Then the ſucceſſors of him which ſhal make ſuch deede &c. ſhall and may commence ſuit, & haue ſuch remedie in any Court Eccleſiaſtical within this Realme, competent for the matter againſt him or them, to whom ſuch deede of gift or alienation ſhal be ſo made, for the amending & reparation of ſuch Dilapidations, or iuſt recompence for the ſame, as hath happened by his fact or default, in ſuch ſort as he might, ſhould, or ought lawfully to haue, if he or they to whom ſuch deede of gift were made, were executors of him that

Fraudulent deedes to defeat the ſucceſſors of their remedie for dilapidations.

Disceipt.

Discontinuance of proces.

Money recou-
red for Dilapi-
dations, shal be
imployed in re-
parations.

made such deede &c. or administrator of his goods &c. 13. Eliz. 10.
2 Whosoever doth recover any summes of money, for, or in the name of Dilapidations, by sentence, composition, or otherwise, and doth not within two yeeres after the receipt thereof truly imploy the same vpon the buyldings, and reparations, in respect whereof such money for Dilapidations shall be paid, shall forfeit double so much to the Queene, as shall be by him receiued, and not imployed. 14. Eliz. 11.

Disceipt.

If any Sergeant, pleader, or other, do any deceit in the Q. Court, or do consent thereunto, to deceiue the Court or partie, and is thereof attainted, he shall be imprisoned a yeere and a day, and being a Councello, shall not any moze be receiued to plead in the Queenes Court for any man. And if he be any other then a pleader, he shal be imprisoned as aforesaid. And if the trespassse require a greater punishment, it shall be at the Queenes pleasure, West. 1. 3. Ed. 1. 29.

2 A writ of Disceipt holdeth place, & is maintainable aswell in place of garnishment which toucheth plea of land where such garnishment is giuen, as in case of summons in a plea of land. 2. Ed. 3. 17. Northampt.

Discontinuance of proces.

Death of the
King shall not
discontinue
any suit.

By the death, or demise of the Queenes Maiestie that now is, or of any that hereafter shalbe King or Queene of this Realm, any action, suit, bill, or plaint, that shall depend betweene partie and partie in any of the Queenes Courts, and other Courts of Record, shall not in any wise be discontinued, or put without day: But the Proces, Pleas, Demurrers, and Continuances in euery action, actions, suits, billes, or plaints, which shall depend, shall stand good, and be prosecuted, & sued forth, in such manner and forme, and in the same estate, condition, and order, as if the same King or Queene had liued. And all maner of Iudiciall proces, that shall be pursued in the time of the reigne of any other King or Queene, then reigned at the time of the pursuit of the original, or other former proces, shall be made in the name of the King or Queene, that for the time shall reigne and be King or Queene &c. And variance touching the same Proces, betweene the names of the Kings or Queenes shall not be materiall, as concerning any default to be objected therfore. 1. Ed. 6. 7.

Death, new
commission, or
association of
Iustices ma-
keth no discon-
tinuance.

2 Euery Assise of Nouel disseisin, Assise of Mortdauncester, Iuris vtrum, and Attaint, which shall be arraigned, commenced, or sued before any Iustices of Assise, shall not be discontinued, or put without day, by reason of death, new commission, association, or not comming of the same Iustices, or any of them, but shall stand good in the law, to all intents, the death, new commission, association, or not comming of the same Iustices, or any of them in any wise notwithstanding. 1. Ed. 6. 7.

No preferment
of the plaintife
to a name of
dignitie shall
abate his suit.

3 Albeit any demandant, or plaintife, in any action, bill, or suit, shal be made Duke, Archbishop, Margues, Earle, Viscount, Baron, Bishop, Knight,

Knight, Justice of the one Bench, or the other, or Sergeant at Law, depending the same action &c. yet no writ, action, or suit, shall for such cause be abatable, or abated, but shall remaine in like force, as the same was before. 1. Ed. 6. 7.

4 Albeit any person being Justice of Assise, Justice of Gaole delivrie, or Justice of peace, within any the Queenes dominions, or being in any other of the Queenes commissions whatsoever, shall be made Duke, Archbishop, Marques, Earle, Viscount, Baron, Bishop, Knight, Justice of the one Bench or of the other, or Sergeant at Law, or Shirife, yet he shall remaine Justice and Commissioner, and have full power to execute the same, in like maner as he might or ought to have done before the same.

Every one that remain Justice and Commissioner, though he be preferred to some dignitie.

2. Ed. 6. 7. But no person exercising the office of a Shirife of any Countie, shall exercise the office of a Justice of the peace by force of any commission, or otherwise, in any Countie where he shall be Shirife, during the time only, that he shall exercise the said office. 1. Ha. 8.

No Shirife shalbe Justice of peace.

5 In all cases, where any person shalbe found guiltie of any Treason, Murder, Manslaughter, Rape, or other Felony whatsoever, for the which iudgement of death should or may ensue, and shall be repried to pryson without iudgement at that time given against him: Those persons that at any time shall by the Queenes letters Patents be assigned Justices to deliver the Gaole where any such person found guiltie shall remaine, shall have full power to give iudgement of death against such person so found guiltie and repried, as the same Justices (before whom such person was found guiltie) might have done, if their Commission of Gaole delivrie had remained in full force. 1. Ed. 6. 7.

New Justices may give iudgement of a prisoner found guiltie and repried.

6 No proces or suit made, sued, or had before any Justices of Assise, Gaole delivrie, Oyer and Terminer, Justice of Peace, or other of the Queenes Commissioners, shall be discontinued by the making and publishing of any new commission or association, or by altering of the names of the Justices of Assise, Gaole delivrie, Oyer and Terminer, Justices of peace, or other the Queenes Commissioners, but the new Justices, other Commissioners may proceede in every behalfe, as if the old Commissions and Justices and Commissioners had still remained not altered. 1. Ed. 6. 7. 11. H. 6. 6. S. Justices of peace 110.

No suit before Justices shalbe discontinued by a new Commission.

Dispensations.

Whosoever doth exact, or receiue of any Suter more for any dispensation, facultie, or licence, then is contained in the duplicate bookes of Taxes, wherein is written the taxes of all customable dispensations, faculties, licences, and other writings, wont to be spedde at Rome, (one of which bookes do remaine in the hands of the Clerk of the Faculties, and the other in the hands of the Clerk of the Chauncery, appointed for writing of licences, dispensations, &c.) shall forfait ten times

Exacting for dispensation.

Distresse.

so much as he shall so exact and receiue, to the Queene and H. to be recovered by A. B. P. &c. wherein no W. &c. E. P. &c. 25. H. 8. 21. 1. Eliz. 1. S. Ecclesiast. &c. 19. &c.

Distresse.

No distresse
shalbe driuen
foorth of the
hundred where
it was taken.

No distresse
shalbe impoun-
ded in seuerall
places.

Poundage
money.

In what pla-
ces distresse
shall not be
taken.

A distresse im-
pounded in a
Castle.

Damages for
a wrongfull
distresse.

Whofoeuer shall driue any Distresse out of the Hundred, Rape, Wapentake, or Lath, where it is taken, (except it be to a pound ouert within the same Shire, being not aboue thre milles distant from the place where it is taken) or shall impound in seuerall places, goodes distrained for any cause at one time, whereby the owner shall be constrained to sue seuerall Repleuies for the deliuerie of the same distresse, shall forfeit to the P. griued for euery such offence v. li. and treble damages, 1. & 2. P. & H. 12. No man shall cause a distresse to be driuen foorth of the County wherin it was taken, Marlb. 5 2. H. 3. 4. West. 1. 3. Ed. 1. 16.

2 Whofoeuer doth take for keeping in pound, poundage, or the impounding of any whole distresse, aboue iiii. d. or doth take so much, where lesse hath vsually bin taken, shall forfeit to the P. griued v. li. and so much as he taketh ouer the said iiii. d. &c. 1. & 2. P. and H. 12.

3 No man shall for any cause distraine out of his fee in the Queenes high way, or common streete: But the Queene and her Officers hauing special authoritie so to do, Marlb. 5 2. H. 3. 15. West. 2. 13. E. 1. 16. Neither shall any man distraine in the auncient fees of the Church, but in such possessions as Ecclesiastical persons haue purchased of late, distresses may be taken, Articuli Cleri. 9. Ed. 2. 9.

4 If any man distraine an other mans cattell, and driue them into a castel, or fortrese, and there hold them (being solemnly demaunded by the Shirife or Bailife) against gages and pledges, so that the Shirife or Bailife cannot make deliuerance of them to the owner, the Shirife or Bailife taking with him the power of the countie, or bailiwick, shall beat downe the castel, and the plaintife shall recouer double damages for all the losse which he hath receiued by his cattell, hinderance of his gage, or in other maner (after the first demaund of the cattell made by the Shirife or Bailife) against him that tooke the cattel, or against his Lord, if he be not able to aunswere them, West. 1. 3. Ed. 1. 17. If any person great or small will not permit the distresses which he hath taken to be deliuered by the D. officers, according to the law & custome of the Realme: Or will not suffer Summons, Attachments, or executions of Iudgements giuen in the D. Court to be made, he shall be punished in the same maner, as one which will not suffer himselfe to be iustified by the law, & that according to the quantitie of his offence, Marlb. 5 2. H. 3. 3.

5 If any person take reuenge or distresse of his owne authoritie, without award of the D. Court, and thereof be conuicted: Or if one neyghbour take a distresse of an other (whereby he hath receiued losse) without award of the Queenes Court, he shall make fine according to the quantitie of the

of the trespasse, and neuerthelesse sufficient amends shall be made to them which haue receiued losse by such distresse, Marlb. 5 2. H. 3. 1.

6 None shall distraine any to come to his Court, which is not of his fee, or vpon whom he hath not iurisdiction by reason of his Hundred or Bailiwick: Neither shall any man take a distresse without his fee, or the place where he hath iurisdiction, or bailiwick, vpon paine to make fine according to the quantitie of the offence, Marlb. 5 2. H. 3. 2. Neither shall any man distraine his freeholder to answer for his freehold, or any thing thereunto belonging without the Queenes writ, Marlb. 5 2. H. 3. 2 2.

None but suitors shall be distrained to come to a court.

7 If any distraine his tenant for seruices and customes, which he claimeth to be due vnto him, or for any other thing, for the which the Lord of the fee hath cause to distraine, and after it is found that the tenant doth not owe him any such, the Lord shall not therefore make fine, if he do suffer the distresse to be deliuered according to the law and custome of the Realme, but shall be amerced, and the tenant shall recouer his damages against him, Marlb. 5 2. Hen. 3. 3.

The Lord shall not make fine for distraining his tenant.

8 Distresses shall be reasonable according to the quantitie of the debt or damages, and not grievous, and he that taketh vnrasonable and excessive distresses, shall be amerced, 5 1. H. 3. Marlb. 5 2. H. 3. 4. 28, Ed. 1. 1 2. See Accomptants to the Queene 5 2.

Excessive distresse.

9 No distresse shall be made, but by Bailifes which be knownen and sworn, & they which do otherwise, & therof be conuicted, shall answer to the parties griued their damages, if they therof do bring their action of trespasse, & also shalbe grievously punished by the D. West. 2. 1 3. Ed. 1. 3 7.

Distresse by Bailifes knownen & sworne.

10 If the Sherife, or any other do distraine another mans beastes, they whose the Cattell be, may giue them meate of their owne, without disturbance, or paying any thing therefore, whiles they do remaine in the pound. 5 1. H. 3. de district. Scaccarij.

The owner may feede his cattell which be impounded.

11 No man shall be distrained by his beastes which till his land, nor by his sheepe, for the Queenes, or any other persons debt, so long as one may find another distresse or other cattels sufficient, whereof to leuie the debt or thing in demaund, except it be the impounding of beastes which a mā findeth doing hurt, according to the custome of the Realm. 5 1. H. 3. de district. Scaccarij. 27. Ed. 1. 1 2.

Plough cattell and sheepe shall not be distrained, if &c.

12 No Cattell nor other distresse taken for the Queenes debt, nor for any other thing, shall be sold or giuen within fifteene dayes after the taking thereof. 5 1. H. 3. de district. Scaccarij. But Collectors appointed for the gathering of money towards the repaire of any decayed Bridge, haue power to distraine any person which shall be taxed, and refuse to pay towards the same, and to sell the distresse, 2 2. H. 8. 5. And euery Receiuer, Bailife, and Collector of the Queenes lands &c. for lack of payment of the rents, issues and reuenewes within their offices, may distraine and sell the distresse, 7. Ed. 6. 1. And the Surueiours of wayes in euery Parish

Selling of distresse.

Bridges 3.

Accompt to the D. 14.

Highways 17.

may

Poore 14.

may leuy the forfeitures by distresse, and sell the distresse, 18. Eliz. 9. And the Collectors for the poore may seise and sell the goodes of him which bringeth into England or Wales any vagabond or begger out of Ireland, or the Ile of Man, for xx. s. which he hath forfeited for the said offence, to the vse of the poore of the Parish, where any of the said persons were set on land, 14. Eliz. 5. And all forfeitures made by reason of the statute prouided 18. Eliz. for the setting of the poore on worke, and for the auoyding of idlenesse, shall be leuied by distresse, and sale of the offenders goodes, to the value forfeited, 18. Eliz. 3. And it shall be lawfull for the Constables and Headboroughs of any Towne, Parish, Village, or Hamlet, to distreine the goods of any inhabitant, which obstinately refuse to pay such ratable taxation and assesment which shalbe made vpon him for his part and portion of money recovered against the Hundred vpon the statute of Wy and crie, and to sell the distresse. 27. Eliz. 13.

Wy & crie 4.

1 That euery Sherife shal appoint fower deputies to make Repleuies, and deliuer distresses. S. Sherifes 22.

2 Where a man shall distraine out of his fee, for arrerages of rents. See Rents 1. 2. 3.

Dower.

A woman shall haue her Quarentine.

A Widow after the death of her husband, incontinent shall haue her mariage and inheritance, and shall giue nothing for her Dower, her mariage or her inheritance, which inheritance her husband and she held the day of his death. And she shall tary in the chiefe house of her husband fourtie dayes after his death, within which dayes her dower shall be assigned her, (if it were not assigned her before) or that the house be a Castell, and if she depart from the Castell, then a competent house shall be forthwith prouided for her, in the which she may honestly dwell, vntill her dower be to her assigned, and she shall haue in the meane time her reasonable estouer of the common, and for her dower shalbe assigned the third part of all the lands which were her husbands in his life time, except she were endowed of lesse at the Church doze. Magna Charta. 9. Hen. 3. 7. And if any doe deforce from a widow her dower, or Quarentine of the tenements whereof her husband died seised, and after the same widow doth by suit recouer the same, the deforceor shall peeld to the same widow her dammages, vz. the value of her whole dower from the time of her husbands death, vnto the day of her recouerie by iudgement, and also the deforceor shalbe amerced. Mert. 20. H. 3. 1.

Elopement with an adulterer cause of forf. of dower.

2 If a wife doe willingly forsake her husband, and goe away, and continue with her adulterer, she shall lose for euer her action to demand her dower, which she ought to haue of her husbands lands, if she be thereof conuict, (except her husband will vpon his owne good will, and without compulsion by Ecclesiasticall Law reconcile her, and suffer her to dwell with him) in which case her action shall be restored againe

gaine vnto her, Westminster 2. 13. Edw. 1. 34.

3 Albeit any person shall be attainted, conuicted, or outlawed of any misprision of treason, murder, or felony whatsoever, yet euery woman that shalbe wife of the person so attainted shalbe endowable, and enabled to demaund and enioy her dower, in like maner as though her husband had not bin attainted, conuicted, or outlawed. 1. Ed. 6. 13. But the wife whose husband shall be attainted of any Treasons whatsoever they be, shall in no wise be receiued to demaund or haue dowrie of any the lands, tenements or hereditaments of any person attainted of treason, during the said attaindoz in his force: any thing before mentioned to the contrary notwithstanding. 5. Edw. 6. 11. That the attaindoz of any person for any offence made treason by anie of the acts made. 5. Eliz. 1. 5. Eliz. 11. 18. Eliz. 1. shall not make any corruption of blood to anie heire, nor the wife of the offendoz to forf. her dower. 5. Queene 8. Forfaiture 2.

The wife endowed, though her husband be attainted.

4 If anie persons doe purchase, or shall haue estate conueyed in any lands, tenements, or hereditaments vnto them, and to their wiues, and to the heires of the husband, or to the husband and to the wife, and to the heires of their two bodies begotten, or to the heires of one of their bodies begotten, or to the husband, and to the wife for terme of their liues, or for terme of life of the said wife: Or if any such estate or purchase of any lands &c. shalbe made to anie husband, and to his wife in forme aboue expressed, or to any other person or persons &c. to the vse of the said husband or wife, or to the vse of the wife, as is aboue rehearsed for the iointure of the wife, then in euery such case, euery woman married hauing such iointure made, shall not claime nor haue title to haue any dower of the residue of the lands, tenements, or hereditaments, that at any time were her said husbands, by whom she hath anie such iointure, nor shall demaund nor claime her dower against them that haue the lands and inheritance of her said husband, But if she haue no such iointure, then she shall be admitted to haue and demaund her dower by writ of dower, after the course of the Common lawes. 27. H. 8. 10.

A woman shall not haue both ioynture and dower of her husbands lands.

5 But if any such woman be lawfully expelled or euicted from her said ioynture, or from anie part thereof, without anie fraud or couin by lawfull entre, action, or by discontinuance of her husband, then she shall be endowed of as much of the residue of her husbands landes, tenements, or hereditaments, whereof she was before dowable, as the same lands so euicted &c. shall extend vnto. 27. H. 8. 10.

If a womans ioynture be euicted, she shall be endowed.

6 Provided, that if any wife shall haue any lands, tenements or hereditaments vnto her giuen or assured after marriage, for terme of her life, or otherwise in ioynture (except the same assurance be to her made by act of Parliament) and the said wife after that fortune to ouerlieue the same her husband, in whole time the said ioynture was assured vnto her, then the same wife may at her libertie after the death of her husband, refuse to take

A woman may chuse whether she will take a ioynture assured after marriage or her dower.

Dower.

take the lands so to her giue during the couerture in ioynture (except &c.) and thereupon demaund and take her dower by writ of dower, or otherwise according to the Common lawe, of and in all such lands, tenements, and hereditaments, as her husband was seised of anie estate of inheritance at anie time during the couerture. 27.H.8.10.

Dower, vnde
nihil habet.

7 A writ of dower vnde nihil habet, shall not be abated by the tenants exception, for that the woman hath receiued her dower of an other man, befoze the writ purchased, if he cannot shewe that she hath receiued part of her dower of himselfe, and in the same Towne, befoze the writ purchased. West. 1. 3. Ed. 1. 48.

A woman en-
dowable of
lands which
he recovered
against the hus-
band, by collu-
sion or default.

8 If a man being impleaded of a tenement doth plainly yeeld it to his aduersarie, or doeth loose it by default, in both the said cases after the death of the husband, the wife shal be allowed to hving her writ of dower: And the tenant which recovered by default in the suite commenced against him, shall shew his right, that he hath in the land, according to his former writ, whereby he recovered against the husband. And if he can shew that the womans husband had no right in the lands in demaund, nor anie other but himselfe, he shal goe quite, and she shal recouer nothing by her writ of dower. But if he cannot shew it, the woman shall recouer her dower. West. 2. 13. Ed. 1. 4.

1 For dowment by the custome of gaulkind, and what cause of forf. thereof. S. Prerog. 16.

2 That the Queene shall haue the reuersion, if tenant in dower die, during the minoritie of her ward. S. Willes 9.

3 For admeasurement of dower by the gardein or heire. S. Admeasurement. 1.

4 That where the Queenes tenant in chiefe doth intrude and die, his wife shall not be endowed. S. Prerog. 13. Liuerie 2.

5 That the grauntee or committee of a Ward, shall not haue aid of the Queene in a writ of dower. S. Ayde &c. 2.

6 Where a woman aliening her dower, or other particular estate, he in reuersion may enter or haue his action. S. Women. 1. 2.

7 That a woman shall haue her dower, though her husband be attainted of certain offences made Felony or Treason by statut. S. Newes 7. Felony. 2. 5. 6. 7. 8. 26. 30. 33. 35. Treason 5. 6. Queene 8. Rome 1.

8 That presentation to a Church by an vsurper during the estate of tenant in dower, shall not preiudice him in the Reuersion. See Ad-uowson 1.

9 That a woman consenting to a Rape shall forsaite her dower. See Rape 3.

10 Where view shall not be graunted in a writ of dower. S. View. 1.

A Table

A Table declaring the length, breadth, & weight of all
wollen Cloth, which is allowable to be made within England
and Wales, to be put to sale.

	Length.	Breadth.	Weight.	Stat.
1 Cloth of Ray to be measured by the list, and the D. cloth according to the rate, shall vpon paine of forfeiture of the same, containe in	28. yards & being watered 24.	6. quarters.		2. Ed. 3. 15 7. H. 4. 10. 13. H. 4. 4.
2 No piece of plaine white straits made in the Counties of Devon & Cornwall, shall vpon paine of the forf. of the same, or the value thereof, be made aboue	14. yards.	1. yarde.	12. poūd.	27. Eliz. 18, S. 63.
3 No piece of pinned White straites made in the said Counties &c. shall, vpon the like forfeiture be made aboue	14. yards.	1. yarde.	12. poūd.	27. Eliz. 18.
4 Euery piece of Lancashire cottons (which shall not bee strained vpon the Taynters aboue one naile in breadth) being sufficiently milled & thicked, cleane scoured, well wrought, and fully dried, shall (vpon paine to forf. for euery pound weight lacking vnder iij. li. xij. d. & for euery pound lacking aboue iij. li. v. s.) containe &c.	21. or 20. goads at least.	3. quarters or within one naile at least.	21. pound at least.	8. Eli. 12.
5 Euerie peece of Lancashire Frizes or Rugges beyng vt supra, shall vpon the paine aforesaid, containe	betwixt 35. & 37. y.	3. quarters at most or within one naile at least.	43. poūd at least.	8. Eli. 12.
If anie of the sayde Cottons, Frizes or Rugges shall be of anie greater length: Then euery yarde so exceeding, shall waygh after suche rate as &c. vpon payne of				

The Table of Draperie.

	Length.	Breadth.	Weight.	Stat.
of forf. for euery yard; not weighing after the rate, xij. d.				
6 Narrow lifted whites made in Wiltsh. Glouceft. and Sommerfetshire, or elswhere of like making, fhall containe	28.yards at the moft.		61.pound at the leaft.	27.Eliz. 17.
7 Broad lifted whites made in Wilt, Glouceft. & Sommerfet or els where of like making, fhall cõtaine	28.yards at the moft.		63. poūd at the leaft.	27.Eliz. 17.
8 Euery peece of broad clothe made in Kent, Suffex, Reding, or elswhere of like making, fhall containe	betwixt 28.& 30. y. w.	7. quarters at leaft within the liftes.	86.pound thicked and fully dried.	5.Ed.6.6. 4.& 5.P. & M. 5.
9 All white clothes made in the Citie of Worceft. called long worcefters, and all clothes of like making made in Couētree or els wher fhall containe	betwixt 29.& 31. y. wette.	7. quarters at leaft within the liftes.	75.pound fcoured & dried.	5.Ed.6.6. 4.& 5.P. & M. 5.
10 Coloured clothes made in Couentree and Worceft. or elswhere of like making, fhall containe	betwixt 29.& 31. y. wette.	7. quarters at leaft within liftes.	80. p. at l. thicked & dried.	5.Ed.6. 6.
11 Short Worcefters made in the Cities of Couentree and Worcester, or els where of the fame fort fhall containe	betwixt 23.& 25. y. w.	7. quarters at leaft.	60. poūd fcoured, thicked & dried.	5.Ed.6. 6.
12 Al coloured lōg cloths made in Suff. Norff. and Effex, or els where of like fort, fhall containe	betwixt 28.& 30. y. w.	7. quarters at leaft.	80. p. at l. fcoured thicked & dried.	5.Ed.6. 6.
13 Euery coloured short cloth betwixt made in Suff. Norff. and Effex, or 23.& 25. els where of like fort, fhall containe	betwixt 23.& 25. y. w.	6. quarters and d. wet.	64. p. at l. fcoured thicked & dried.	5.Ed.6.6. 4.& 5.P. & M. 5.
14 Euery				

	Length.	Breadth.	Weight.	Stat.
14 Euery coloured cloth made in Suff. Norff. and Effex, or els where of like fortes, called handy-warps, and all whites there made or elsewhere, as Cocksale whites Glainsford, and other handiwarps, shall containe		7. quarters out of water.	Euery y. 2.p. & d. it least scoured, thicked & dried.	5. Ed. 6. 6. 4. & 5. P. & M. 5.
15 All whites and reds made in Wiltsh. Gloucest. and Sommerfetshire, or els where of like making, and al other whites made in any other part of the Realme not before remembred, shall containe.	betwixt 26. & 28. yards.	being thorowly wette, 6. quar. & d. within the listes vnwrought and listed. 27. El. 17.	whit. 61. p. coloured 60. p. scoured thicked & dried.	5. Ed. 6. 6. 4. & 5. P. & M. 5.
16 All broad Plunkets, Azures, Blewes, and other coloured cloth made in Wiltsh. Glouc. & Somersetshire, or els where of like making, shall containe	betwixt 25. & 28. y. wette.	6. quarters & an halfe being wet. 35. El. 9.	68. p. at l. scoured thicked & dried,	5. Ed. 6. 6. 35. Eli. 9.
17 Euery course shorte clothe made in Suff. Norff. and Effex, or els where of like sort, and euery course cloth made in Kent not exceeding the price of vj. li. shall containe	betwixt 23. & 25. y. w.	6. quarters and d. wette within the listes.	64. p. at l. scoured thicked & dried.	4. & 5. P. & M. 5.
18 Al Karseys called ordinaries, shall containe	betwixt 16. & 17. y. wette.		19. p. at l. S. T. and D.	5. Ed. 6. 6. 4. & 5. P. & M. 5.
* 19 All sorting Karfies shall containe No person vsing the trade of making of Karfies, shall purposely make any karfies, aboue the length of 18. yards at most, vpon paine of forf. xl. s. to the Q. and I. 14. Eliz. 10.	betwixt 17. & 18. y. w.		22. p. at l. S. T. and D.	5. Ed. 6. 6. 4. & 5. P. & M. 5.

The Table of Draperie.

	Length.	Breadth.	Weight.	Stat.
20 Euery Deuonshire karfie, called dozen, shall contayne	betwixt 12.& 13. y.w.		Euery y. 1.p.at l. S.T.&D. S.110. 111.&c.	5.Ed.6.6. 4.& 5.P. & M. 5. 35.Eliz. 10.
21 All broad clothes made in Taunton, Bridgewater, and other places of like sort shall containe	betwixt 12.& 13. y.w.	7. quar- ters.	34.p.the piece at l. S.T.&D.	5.Ed.6. 6.
22 Euery narrow cloth made in the said towns or els where of like sorts, shall containe	betwixt 24.& 25. y.w.	1.yard.	34.p.at l. S.T.&D.	5.Ed.6. 6.
23 Al clothes named Check Kar- fies and straites shal containe	betwixt 17.& 18. y.wette.	1.y.wet. at least.	24.P.the piece at l. S.T.&D.	5.Ed.6. 6.
24 Euery goade of Welsh lining shall containe		3. quar- ters wet.	1.p.& d. quarter.	4.& 5.P. & M. 5.
25 Euery yard of cottō being ful- ly wrought & cottoned shal cōtain			1.p.at l.	4.& 5.P. & M. 5.
26 Al welsh frizes wrought with- in the shires of Cardegan, Carmer- dē, or Pēbrooke, or els where of like making, redy to be sold for a whole peece, & euery half peece of welsh frizes accordingly, shall containe	36.yards wette at most.	3. quar- ters of a yard.	48.pound the peece at l.	5.Ed.6. 6.
27 Euery Northerne cloth shall containe And euery half peece called dozēs, shall containe the same breadth, & halfe the same length and waight.	betwixt 23.& 25. y.	7. quar- ters of the y.at least wet.	66. p. the piece at l. S. T. & D.	5.Ed.6.6.
28 All cloth called Penistones or forest whites, shall containe	betwixt 12.& 13. y.wette.	6. quart. & D. out of water.	28.p.the peece at l. S.T.&D.	5.Ed.6.6.
29 Al cottons called Manchester & Cheshire cottons, ful wrought to the sale (which may be deuised vn- to ij. halfe peeces, & shall containe	22 goades.	3. quar- ters wet.	30.p.the peece at least.	5.Ed.6.6. such

such breadth & waight, as is limited to a whole peece, 4. & 5. P. and M. 5.) shall containe.

30 All clothes called Manchester Rugs, or Manchester Frizes (which may be deuided into two halfe peeces, and shall contain such breadth, & waight, as is limited to a whole peece, 4. & 5. P. & M. 5.) shall containe.

36
yardes.

3. quar-
ters wet.

48. p. the
peece at
l. wrought
& dried.

5. Ed. 6.
6.

31. Euerie person which shal make, or cause to be made, any of the seuerall kinds of broad clothes aboue rehearsed of any shorter or longer measure then is aboue specified in the statute made 5. Ed. 6, and 4. & 5. P. & M. and appointed for euerie Countrey, or seuerall kind of clothes to be made, or make any such cloth of lesse breadth, being well scoured, thicked, milled, & fully dried, then is aboue specified and appointed for euerie seuerall Countrey or kindes of Clothes, & shall put the same to sale, shall forfe. For euerie such default of euerie cloth sold or offered to be sold in length or breadth xl. s. And euerie person which shall make, or cause to be made any of the seuerall kinds of Kerseies, narrow Clothes, Straites, Dofzens, Frizes, or Cottons aboue mencioned, which shall not be made in such manner and forme, as is aboue said, nor containe in length and breadth seuerally appointed, as is aboue specified, shall forfeit for euerie peece of such Cloth so made and sold, or offered to be sold, xx. s. And if any such Cloth or Kersey shall lacke of such weight, as by the said statute it is appointed to haue: Then the maker thereof, or other person in whose possession the same shall be found, shall forfeit for euerie pound lacking aboue iii. l. v. s. And also for euerie pound not exceeding iii. pound, ii. s. to the D. & J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 5. Ed. 6, 4. & 5. P. & M. 5. If any of the clothes called broad Plunkets, Azures, Blewes, & other coloured cloth made within the Shires of Wiltshire, Gloucester, or Somerset, or elsewhere of like making, shall not containe vi. quarters & an halfe at the least within the listes, as is aforesaid, viz. h. xvi. Then euerie person offending in that behalfe shall for euerie such cloth, be subiect unto such paines, penalties, and forfeitures, as were, by force of the former statute of 5. Ed. 6. to haue bin forfeited, for want of breadth of vii. quarters within the listes. And if any of the said broad Plunkets, Azures, Blewes, or other coloured Clothes, being well scoured, thicked, milled, and fully dried, shall containe in weight any lesse then threescore & eight pounds at the least: Then euerie of the said Clothiers therein offending, shall incurre double such penalties & forfeitures, for euerie pound so wanting of the said weight, and not weighing after such rate, as is before expressed,

Forf. for default of weight or measure.

Plunkets, Azures, Blewes.

Breadth.

Weight.

Draperie.

Length.

pressed, in and by the said stat. made 5. Ed. 6. is limited and appointed. And if any of the clothes to be made within the Countie of Somerset, or elsewhere, of like making, called Plunkets, Azures, and Blewes, being well scowzed, thicked, milled, and fully dyed, shall containe in weight, any lesse then three score and eight pounds at the least, or if any of the said clothes shall containe in length any more then xxvii. yardes at the most: Then euery of the same Clothiers therein offending, shall incurre double such penalties and forfeitures for euery pound so wanting, as by the said stat. of 5. Ed. 6. are to such defaults limited & appointed. And for euery yard that any such cloth shall containe aboue xxvii. yardes in length, and not weighing after such rate as is before expressed, The maker of euery such cloth shall incurre double the penalties by the stat. of 4. & 5. R. and M. to such defaults limited and appointed. 35. Eliz. 9.

Cloth exceeding the appointed length.

32 If any broad Cloth shall exceed the seuerall length before appointed, by meanes of the finenelle, or the good and stuffie making of the same, then the maker thereof shall not incurre any penaltie for the ouer length of any such fine Cloth, 5. Ed. 6. 6. And if any Cloth or Kersey of the seuerall kinds of making mencioned in the foresaid statutes of 5. Ed. 6. and 4. & 5. R. and M. do exceede the seuerall lengthes mencioned in the same: Then euery yard so exceeding, shall weigh after such rate, as euery yard of such Cloth or Kerseys conteyning the said seuerall lengthes, shall or ought to weigh, vpon pain of forfeiture for euery yard not weighing after such rate v. s. 5. Ed. 6. 6. 4. & 5. R. & M. 5.

Whites and Reds made in Wilt. Glouc. Somersetshire

33 If any Whites or Reddes made in the Counties of Wiltshire, Gloucester, & Somerset, or elsewhere, of like making, or any other whites before mencioned, (viz. in the fifteenth branch) shall not containe vi. quarters and a halfe at the least within the listes as is aforesaid: Then euery person offending in that behalfe, shall for euery such cloth be subiect vnto such paines, penalties, and forfeitures, as were by force of the said stat. of 5. Ed. 6. to haue bin forfeited for want of breadth of seuen quarters within the listes, viz. he shal forfeit for euery such default of euery Cloth sold, or offered to be sold xl. s. to the finder thereof. And if any cloth to be made in any of the said Counties, or elsewhere, of like making, called narrow listed Whites, being well scoured, thicked, milled, & fully dyed, shall containe in weight any lesse then lxi. pound at the least: Or if any Cloth to be made in any of the said Counties, or elsewhere of like making called broad listed Whites, being well scoured, thicked, milled, & fully dyed, shall containe in weight any lesse then sixtie three poundes at the least: Or if any of the said clothes called narrow listed, or broad listed Whites, shall containe in length any more then xxviii. yardes at the most: Then euery of the said Clothiers therein offending, shal incurre double such penalties and forfeitures for euery pound so wanting of the said seuerall weights aboue limited, & for euery yard so exceeding in length, and not weighing

Narrow listed whites.

Broad listed whites.

after

after such rate as is before expressed, as by the foresaid statute of 4. & 5. R. and B. 5. is provided & appointed, viz. he shal forfait for every yard exceeding in length, r. s. and for every pound lacking aboue iiij. pound, r. s. & for every pound not exceeding iiij. pound, iiij. s. 27. El. 17. 35. El. 7.

34 No Draper, Marchant, Taylor, Clothworker, or other person, which shall ret aile any such clothes or kerseies, frizes, rugges, or cottons of the seuerall makings specified in the act made 5. Ed. 6. shall put to sale any of the said clothes, whereunto the Aulneger shall haue set the D. seale, and the owner his seale, till he haue made trial aswell by the water, as by the weight and measure, whether they shall be made according to the purpozt and true meaning of the said act or no. And if any person shal find any defectiue or faultie cloth, in length, weight, or measure, made contrary to the orders aforesaid: Then he shal present euery such cloth, to euery Maioz, Bailife, or other head officer, or head officers of euery citie, borough, or towne corporat, or to the two Iustices of peace next adioynning out of a citie, borough, or towne corporat, where such cloth shall be found faultie, to the intent the same cloth may be cut in three equal peeces: The one peece therof to be forfait to the Queene; an other to the presenter thereof, and the third part residue to such person or persons as it shall then be presented to, vpon paine that euery such person as shall so search euery of the clothes, kerseies, cottons, or frizes aforesaid, so by him bought & sold, and shall not seile and present such cloth as he shall find defectiue, shall forfait the double value of euery such cloth, 5. Ed. 6. 6. 25. Ed. 3. 1. See Iustices of peace 83.

The Draper shall trie the cloth, and present the faultie.

35 Euery Clothier or other person whatsoeuer, which so shal sel any such faultie kersey, cotton, or frize, whereunto the Aulneger & the owner shal haue set to their seales, and shal be so seised as is aforesaid, shal within xiiii. dayes next after request made by writing, message, or otherwise, by such person which shal so buy such cloth, make payment of such summes of money as he receiued for the same, or otherwise shal satisfie, discharge, & acquite him for so much money, as he should haue receiued for the same, vpon paine of forfaiture to the R. grieved for euery non payment, or not acquital, the double value of the money so receiued &c. to be recouered by A. B. R. &c. wherein no W. &c. E. R. &c. 5. Ed. 6. 6. See 56.

Repaime of money receiued for faultie cloth.

36 Aswell the Maioz of London and Aldermen, or the moze part of them, as euery other Maioz, Bailife, and head Officer of euery citie, borough, or towne corporat within this Realme, shal from to to time appoint two, or moe, honest, discreet, & expert persons, which shall from time to time vpon their othes view and search all clothes that shall be dressed, dyed, or pressed with the cold presse, within euery such citie, borough, town corporat, or port towne, and view and search whether the same clothes be well and sufficiently dressed and pressed with the cold presse, without putting therto flocks, solace, chalke, flower, or any other deceitful thing, and

Searchers of cloth.

Draperie.

Deceitfull
things put
in cloth.

also whether the same shall be well died with good & perfect colours without any deceitable thing, or whether it shall be strained any more then in this statute is specified, and shall have power to enter into every persons house where they shall think meete, to search and seise every such Cloth as they shall find defectiue in the premisses, in whose hands soeuer they shall be found, as for. to the D. and to the Maior and Comminaltie of the citie, borough, towne corporat, Port towne, or Market towne where the same shall be seised. And every person in whose possession such defectiue or faultie cloth, either by euill dying, dressing, or pressing shall be found & seised, shall haue his remedie (by A. J. &c. wherein no W. &c. E. P. &c.) against every such person by whose default or negligence such cloth shall so be found faulty, & shall thereby recouer all such costs, losses, & damages as he shall sustaine by occasion therof. And every Maior, head Officer, &c. of any citie, borough, or towne corporat, in which any clothes shall be made, died, dressed, or pressed with the cold presse, which do not appoint so many Searchers as shall be requisite to search & view clothes vpon their othes, shall for. for every default x. li. to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6.

A seale of lead
in every corporat
towne.

37 Aswell the Maior of London, as euery other Maior, Bailife, Port-riue, or other head officer of euery citie, borough, towne corporat, or port towne, shall cause to be prepared a Seale of Lead, wherein aswell the armes, as the name of euery such citie, borough, towne &c. shall be grauen, which the same Searchers shall cause to be fixed to euery cloth that they shall find well and sufficiently dressed, died, & pressed, with the cold presse without any of the deceits aforesaid, and shall haue for their paines by the owner thereof for the sealing of euery Cloth ii. d. 5. Ed. 6. 6.

The sealers
for. for sea-
ling of faultie
cloth.

38 If any Searchers do find any of the clothes being coloured or dyed, either cockly, pursie, baudy, squaly, or rowy, or euill buried, or wasted in the mill, or full of holes, or bracks, then they shall besides the seale of the citie, borough, or towne corporat, where the same cloth shall be found, put an other seale of Lead at euery end of the said cloth, wherein shall be grauen the letter (F) and shall also set a mark in the list, right against such place where any of the faults aforesaid shall be, with the print of a Letter or mark of an inch compasse at the least, whereby euery buyer may well know what and where the fault is. And if any of the aforesaid Searchers do set the seale of any citie, borough, &c. to any cloth which shall haue any of the aforesaid faults, and do not set at euery end of the clothes one seale with the letter (F) Then the Comminaltie of euery such citie, borough, &c. where such Searcher shall be appointed, shall for. for every such omission v. li. to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. 5. Ed. 6. 6. 4. & 5. P. and D. 5.

The Comminal-
ties forfeiture
for the search-
ers fault.

Cloth sealed in
one borough,
shall not be
searched in
an other

39 The seale of euery borough or towne corporat, appointed for the sealing of any kind of Cloth, shall be fixed to euery such kind of Cloth being

being well made within such citie, borough, or towne corporat, which Cloth so sealed with the seale of any citie, borough, or towne corporat, shall not be searched, tried, or viewed by any searcher or sealer of any other citie, borough, or towne corporate, by vertue of his said office. 4. & 5. P. and M. 5.

40 If any of the said searchers so appointed by the Maior, Bailife, or other head officer of any citie, borough, or towne corporat, hauing no reasonable excuse, do refuse to be a searcher, and do not vse the office of a searcher, he shall forfeit for euery such refusall and not executing of his office v. li. to the Q. and the vse of the Comynaltie of euery citie, borough, &c. where he shall be assigned, and also shall remaine in ward, till he hath paid the said forfeiture, or otherwise put in sufficient bond for the satisfaction of the same. 5. Ed. 6. 6.

Refusing to be a searcher.

41 The Searchers or Sealers and euery one of them, haue authoritie in the day time, to enter into euery house of euery person, where he or they shall think meete, to search, and to trie euery kind of Clothes, Kerseies, Frizes, and Rugs, as they shall find defectiue, either in length, breadth, or waight, and the same to trie by water and waight, and also to search & seise as forfeit euery cloth made of other coulours then in this act is appointed. 4. & 5. P. & M. 5.

The searchers or sealers may enter into euery mans house.

42 If any person shall denie, withstand, or withhold any clothes, kersies, frizes, or rugs, from the said sealers or searchers, or any of them, or will not suffer them to enter into their shops, warehouses, houses, or places where their clothes &c. shall be, the same to be searched and tried as is aforesaid: Then he so denying or withstanding, for euery such withstanding, withholding, or deniall, shall forfe. x. li. to the Q. & I. to be recovered by A. I. &c. wherein no W. &c. E. P. &c. 4. & 5. P. and M. 5.

Denying or search.

43 It shall not be lawfull for any of the said searchers or sealers, or any other person, to search any wollen Cloth, or Kersey, whereunto the seale of a citie, borough, or towne corporat shall be fixed, within the Cloth Market of London, called Blackwel hall, or in any common Cloth fayre, or cloth market of any other citie, borough, or towne corporat, in, and during the time of the fayre or market. 4. & 5. P. & M. 5.

No cloth which is sealed shall be searched in a market.

44 If any person shall by himselfe, or by any other person by him procured, counterfeit, set to, or take away from any cloth, kersey, frize, rug, or cotten, any seale appointed to be fixed to the same, by either of the statutes made 5. Ed. 6. and 4. & 5. P. and M. Then he shall forfeit for the first offence (being thereof duely conuicted by verdict of twelue men, or by two sufficient witnesses, or by confession of the partie) x. li. And for the second offence being likewise conuicted, shall sit on the Pillorie, and forfeit to the Queene all such his goodes and cattels (his debts being truly paid) as he shall haue at the time of his conuiction. 5. Ed. 6. 6. 4. & 5. P. and M. 5.

Counterfeiting or taking away a seale.

No cloth retailed but which is sealed.

45 No person which commonly vseth to retaile cloth oz kersey, shall put to sale, in grosse, oz by retaile to any person, any maner of cloth being dyessed, dyed, and pressed. except there be fixed thereunto at euery end of the same coth the seale of such citie, borough, oz towne corporat, where the same cloth shal be so dyed, dyessed, and pressed, oz the seuerall seale of euery such citie, borough, oz towne corporat, where it shal be dyed, dyessed, oz pressed, to remaine at the last end of euery of the said cloth, which shall be sold, during all the time that any peece of such cloth is to be sold, vpon paine of forf. the whole value of such cloth to the D. and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 6.

Bridgwater, Tanton, & Chard clothes.

46 And euery person dwelling wythin the Countie of Somerset, which shall put to sale any Woollen clothes, commonly called Bridgewater, Tanton, & Chard clothes, oz clothes of like making, nature, and sort, made within the said Countie, except such Cloth be first viewed, searched, and seene in one of the boroughes of Bridgwater, Tanton, oz Chard, and sealed with the seales of one of the said boroughes, oz townes, according to the foresaid statute 5. Ed. 6. shall forf. the cloth sold, oz the value therof to the D. and J. &c. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 2. & 3. P. and M. 12.

Clothes brought to a town corporat to be sealed.

47 Euery person not dwelling within any citie, borough, oz towne corporat, and making any of the clothes oz kerseies aforesaid, may lawfully bring the same to the next citie, borough, oz corporat towne where any such kind of clothes oz kerseies be commonly made, there to be sealed in maner and forme aforesaid. 4. & 5. P. and M. 5.

Sealing of cloth which lacketh length, waight, breadth.

48 If any Searcher oz Sealer appointed by the foresaid statutes of 5. Ed. 6, and 4. & 5. P. and M. shall set the seale of any citie, borough, oz towne corporat, to any cloth which shall not containe such length, waight and breadth, as in the said statutes is appointed: Then the Corporation of the township, where such cloth, kersey, frize, cotton, oz rug shalbe so sealed, shall forf. the whole value of the cloth so sealed. 4. & 5. P. & M. 5.

Sealing of cloth not sufficiently dyed, dyessed, wrought.

49 If any of the Searchers aforesaid, shall set the seale of any citie, borough, towne corporat, oz port towne to any coloured Cloth which shal not be sufficiently dyessed, died, pressed, and wrought, as is aforesaid: Then the Corporation of the township, where such cloth shall so be sealed, shall forf. the whole value of the cloth so sealed. 5. Ed. 6. 6.

Ouerseers appointed by the Justices.

50 In euery towne, village, oz hamlet being not corporat, where any cloth shall be made oz sold, the Justices of peace of the same Shire where any such towne, village, oz hamlet is, oz two of them at the least, shal haue full power once euery yeere to call before them, by their precept oz otherwise, two, iiii. vi. viii. oz more, as they shall thinke good, of the most honest, discreet, and indifferent men of euery such towne, &c. and them shall appoint to be ouerseers for one whole yeere then next following within the towne, village, oz hamlet where the same ouerseers shall be dwelling, charging

charging them vpon their othes &c. that they do indeuour themselves for that yeere, as much as in them shall lie, to see that the statute of 3. Ed. 6. prouided for the true making of wollen Clothes, be truly obserued within the limits of their charge, in euery part thereof. 3. Ed. 6. 2.

51 The same Duerseers, or two of them, shall euery quarter of the said yeere at the least, or so often as need shal require by their discretions, visite and go into euery Clothiers, Drapers, Clothworkers, Diers, or Messors houses, shops, and other places where cloth or died wooll shalbe, and there make due search, and view the clothes and woolls made or died, or remaining to be sold, and to search and trie, whether the said clothes be drawn, or strained, or falsly died. 3. Ed. 6. 2.

The authoritie of Duerseers.

52 If any of the said persons so commaunded to appeare, to be made Duerseers, hauing no reasonable excuse, do refuse to come & to take vpon him to be an Duerseer: Then euery such person shal forfeit for euery such refusing xli. s. to the Q. & to the Iustices of peace by whom he was commaunded to appeare, or to be an Duerseer, & shall remaine in the ward of the Shirife untill he hath paid the same. for. or otherwise put in sufficient band for the satisfaction of the same. 3. Ed. 6. 2.

Refusing to be Duerseers.

53 And if the same Duerseers, or two of them at the least, do not once euery quarter of the yeere make due search for the true executing of this statute: Then euery of the said Duerseers shall forfeit for euery such default xli. s. to the Q. and J. &c. to be recovered by A. J. &c. wherein no W. &c. E. D. &c. 3. Ed. 6. 2.

Duerseers not making search.

54 And if the same Duerseers shall be interrupted, and not suffered to enter into the said houses, shops, or other places where any such clothes, or woolls shalbe made or died, or any other of the said defaults shalbe committed, there to make search for the better executing of this statute: Then euery one that so shall make any such interruption, shall forfeit xx. li. to the Q. and to the said Duerseers, to whom any such interruption shalbe made, to be recovered by A. J. &c. wherein no W. &c. E. D. &c. 3. Ed. 6. 2.

Interrupting Duerseers.

55 Prouided that no person shall take any aduantage of any the said forfeitures, by reason of this statute of 3. Ed. 6. vntill he do commence his suit within one yeere next after the said offences and forfeitures committed. 3. Ed. 6. 2.

Watch in what time that suit shall be commenced.

56 Euery Clothier shal weaue, or cause to be wouen his seuerall token or marke, in euery Cloth, Kersey, and other Clothes whatsoever they be, made to be vttered and sold, and when any Cloth shall be ready made and dressed to be put to sale, euery of the same Clothiers shall set his Seale of Lead vnto euery of them: In which seale shalbe contained the iust length of euery of the same clothes or kerseies, as it shall be found by euery buyer of the same, vpon due prooffe thereof to be tried by the water. And in case vpon any such prooffe to be made by any buyer of them at the water, there shalbe found lesse content in length then is contained in euery of their said

The Clothiers marks.

Seales: Then euery of the said Clothiers shal forsaite vnto euery such buier of the same the double value, of so much cloth as shall want of his said content in length, at the only sight and iudgement of any two indifferent persons that shal measure the same. And euery Clothier putting his cloth to sale, befoze it shall be sealed by the Aulneger, and marked in forme aforesaid, shall forsaite his cloth to the D. & J. to be recouered by Action, Information, &c. wherein no Wager &c. Essoine, Protection, &c. 27. H. 8. 12. See 34. 35. and Quare whether the Clothier shall forsaite the double value, of the Cloth, or both.

Aulnegers
seale.

Quare.

No Clothier
shall vse ano-
thers mark.

57 No person shall vse any marke vpon his Clothes such as an other doth, & hath vled befoze him, vpon pain of forf. of euery of the said clothes to the Queene & to him that will seise the same. 5. H. 8. 2. 6. H. 8. 8.

58 If any Cloth or Kersey thzough the default or negligence of the carders, spinners, or weauers, shall pzooue either pursie, cockley, baudie, squally, or rowie, by warpe or woofe, or else shall happen to be euill burled or wasted in the mill, or else thzough default of the mill man, or otherwise to be full of holes, milbzakes, or to be holie: Then the maker therof shall fixe vnto euery end of the said cloth or kersley, so being defectiue & faultie, and offered to be sold, one seale of lead, in the which seale shall be ingraued this word (faultie) vpon paine of forf. of such cloth or kersley, or the value thereof, so offered to be sold, whereunto such seale shall not be set, 4. & 5. H. and H. 5.

Faultie cloth.

Faultie cloth
transported.

59 If it shall fortune any Marchant to transport any clothes, kerseies, frizes, or cottons, whereunto the seale with this word (faultie) was not annexed at the time of the sale thereof, by the Clothier, and the same so transported, or any of them to be found faultie or defectiue, and the same marchant thereof within two yeeres after such sale to bring a certificat sealed with the seale of any towne or company in the partes beyond the seas, or signed by a Notarie there, after the accustomed maner, declaring thereby the losse which the marchant shal haue sustained by such defectiue and faultie cloth so transported: Then the Clothier or other person of whom the cloth was bought, their executozs or administrators shal within six weeks next after request made by the said marchant, his executozs, administrators, or assignes, truly pay to the said marchant, his executozs, administrators, or assignes, euery such summe of money as shal be so declared in the said certificat, vpon paine of forf. to the party griued for euery non painmet vpon such request, double the value of such summe mētioned in the said certificat. But such marchant shall not haue by vertue of this act, any recompence for lacke of length, breadth, or waight of any cloth, wher- vnto the seale of any citie, borough, or towne corpozat shall be fixed. 4. & 5. H. and H. 5.

The waight
of the wool de-
liuered by the

60 The Wooll which shall be deliuered, for, or by the Clothier to any person, for breaking, keimbing, carding, or spinning of the same, shal be by
eeuen,

eeuen, iust, and true pois and weight of haberdypoys sealed by authority, not exceeding in weight after the rate of xii. pound seined wooll, aboue one quarter of a pound for the wast of the same wooll, & in none other maner. And the breake or keimber shall deliuer againe to the same Clothier the same wooll so broken and kempt, and the carder and spinner shall deliuer againe to the said Clothier, yarne of the same wooll by the same euen pois and waight (the wast thereof excepted) without any part thereof concealing, or anie moze oyle, water, or other thing put thereunto deceiuably, vpon paine to forfait to the Lord of the Leete, within the pzeinct wherof such default is done, for euery such default xii. s. vpon due pzoofe of such deceit, befoze and by discretion of the Maioz, Bailife, or other head officer of the citie, borough or towne where the deceit shall appeare, calling to him such persons, as shall seeme to him conuenient for the pzoofe of such deceit. 6. H. 8. 9.

Clothier to the carders & spinners, & by them redeliuered.

61 Euery person occuppying the trade of buying and selling of welsh cloth and linings, within the towne of Shrewsburie in the Countie of Salop, which doth deliuer the same to be Cottoned, Frized, dresled or wrought, to any Sherma, Cottoner, or Frizer, & doth not pay to the same Sherman or &c. ready money for all his said worke, without any colour, fraud or engin whatsoeuer, & without ware or other thing in satisfaction of his said worke, or any part thereof, shall lose all his liberties & freedoms of the Fraternity of Drapers, & for euer after be excluded and disabled by himselfe or any other for him to occupie or enioy the trade of buying and selling of welsh cloths or linings. 8. Eliz. 7. 14. Eliz. 12.

Decuplers of Welsh cloth, shall pay the Sherimen ready money.

62 No person which shall buy to sell againe by way of retaile or otherwise, any welsh linings, shall dresse or worke, or cause to be dresled or wrought, within his dwelling house, or in any other places, any of the said welsh linings, but shall put the same to some such person as shall be of the Science of Sherimen, Cottoners, or Frizers, to be by them wrought and dresled, vpon paine to forfe. for euery welsh cotton, or lining frized, or cottoned to the contrarie vi. s. viii. d. 4. & 5. H. 8. & 5. And if any person dwelling within the towne of Shrewsbury in the County of Salop, or the liberties of the same, vsing the trade of buying of frizes, cottons, or plains, doth exercise the facultie of frizing or cottoning, he shall forfe. for euery piece, vi. s. viii. d. to the D. and J. &c. to be recovered by A. J. &c. wherein no W. &c. E. H. &c. 8. Eliz. 7. 14. Eliz. 12.

No retailer of lining, frizes, or cottons, shall worke the same

63 No person shall put any haire, flockes, or any yarne made of lambs wooll into any cloth, kersey, frize, or cotton so made and sold, or offered to be sold, vpon paine to forfait euery such cloth, kersey, frizes, and cotton wherein anie such yarne, haire, or flockes shall be put, or the value thereof, to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. H. &c. 5. Ed. 6. 6. The foresaid branch made Ann. 5. Ed. 6. which prohibiteth the putting of haire, flockes, or yarne made of lambs wooll into anie cloth

haire, flockes, lambs wooll.

Draperie.

or frize, hauing regard vnto the clothes called plaine white straights and pinned white straights, shall be repealed and made void. And it shall be lawfull to all and euery the Queenes subiects, inhabiting or which shall hereafter inhabit within the counties of Deuon and Cornwall, aswell in townes corporat, market townes, or elsewhere, to weaue and make the said clothes called Plaine white straights, and Pinned white straights, and to vse and occupie in making of the said clothes, flockes, haire, and yarne made of lambes wooll, and to haue, keepe and vse in his and their houses, thzee Loomes and not aboue, for the making of the clothes aforesaid: and to make the same clothes of such length, weight and breadth, as the Merchant shal like or accept to buy the same for marchandises, or appoint the same to be made for the vse and most acceptable allowance of the countrey people where the same shalbe transported for marchandises, for that in truth none of the same are woyn or occupied within this realme: The said statute made Anno 5. Ed. 6. or any other Law or statute, &c. notwithstanding. Provided alwaies, that in defrauding of the Queenes custome, no peece of the said clothes shalbe made aboue twelue pound in waight, or aboue xiiii. yards in length, or one yard in bredth, vpon paine of forfaiture of all such clothes made ouer and aboue the said length, breadth, or weight, or the value thereof to the Queene and Informer, to be recouered in any Court of Record, by M. B. P. or J. wherein no M. &c. E. P. &c. 27. Eliz. 18.

The length,
breadth and
weight of
plaine & pin-
ned straights.

Straining or
stretching of
Cloth.

64 No person shall straine, or cause to be strained any cloth, aboue one yard in length, & one halfe oz. in breadth, vpon paine to forfe. for euery such default v. l. And no person which shall haue or occupy any tentour, shall haue or occupie anie wench, rope, or ring with the same tentour, or shall vse any other engin, vnlawfull to straine, or stretch any cloth, vpon paine that euery offendor, that shall vse or occupie any tentour, or other engin to the contrary, shall forfe. xx. l. to the Q. and J. to be recouered by A. J. &c. wherein no M. &c. E. P. 5. Ed. 6. 6. S. 118. 119.

Pressing of
cloth.

65 No person shall presse any kind of cloth, with the hote presse, or in any other kind of deceiuable maner, but only with the cold presse, vpon paine of forfe. of the whole cloth so pressed, or the value thereof to the Q. and J. to be recouered by A. J. &c. wherein no M. &c. E. P. &c. 5. Ed. 6. 6.

Boiling of
wooll.

66 No person shall boile, or cause to be boiled any woolls to be conuerted into any kind of broad cloth, or Kersey, with any kind of gaules, rindes, barkes of trees, or sawdust, vpon paine to forfe. all such wooll, or the value thereof, to the Q. and J. to be reconered by A. J. &c. wherein no M. &c. E. P. &c. 5. Ed. 6. 6.

Lists of cloth.

67 No person shall adde vnto anie cloth, anie counterfait list like vnto the making of Cocksal, Bocking, or Bzaintry clothes, commonly called handy warpes, except the warpe thereof be spunne vpon the distaf, vpon paine of forfaiture of the same cloth, or the very value thereof: But the

Cloth-

Clothmakers within the citie of Worcester may make such lists as they haue done heretofore. 4. and 5. P. and B. 5.

68 No person inhabiting within the Westriding in the countie of ^{Clothes made in the Westriding in Worke.} Worke, shal make, or cause to be made any Broad clothes, called Pewkes, Tawnies, Violets, or Greene, except the wooll thereof (before it be conuerted into yarne) be first died, litted, and coloured, with the colour blew, of the value of ii. s. a pound; vpon paine of forfe. of euery such coloured cloth, whereof the wooll shall not be first died, &c. or the value thereof, to the D. and J. to be recovered by A. J. &c. wherein no W. E. P. J. &c. 4. and 5. P. and B. 5.

69 Welsh clothes called Whites, Russlets, and Rennets, made in ^{Folding of Welsh cloth.} Northwales, and Worcester Hundred, that shall be brought to any common Markets or faires, to be vttered and sold, shalbe foulded either in plaits, or cuttell, as the clothes of all other countries of this Realme are vsed, to the intent the buyers may perceiue the breadth and goodnesse thereof, vpon paine of forfeiture of euery piece brought to ante Market or faire to be sold contrarie to the fourme aforesaid, to the D. and J. to be recovered by A. J. &c. wherein no W. E. P. &c. 33. B. 8. 3.

70 No person shall put to sale within the Realme of England, any ^{Colours of cloth.} coloured cloth of any other colour, or colours, then Scarlet, Red, Crimson, Purrey, Violet, Pewke, Brownblew, Blacke, Greene, Pelow, Drichtawney, Ruslet, Marble, Gray, Sad New colour, Azurie, Matched, Sheepes colour, Lion colour, Dotley, Iron gray, Friers gray, Crane colour, Purple, & old Medley colour, most commonly vsed to be made aboue and before xx. yeeres last past. 4. and 5. P. and B. 5.

71 No person occupying the feat of Dying, shall die, or alter into colours, or cause to be died, &c. any woollen Clothes, as Browneblewes, ^{Dying of clothes.} Pewkes, Tawnies, or Violets, except y^e same be perfectly boiled, Grained, or Madderred vpon the Wood and Hot with good & sufficient corke or orshall, after a due, substantial & sufficient maner of workmanship, according to the auncient workmanship in time past vsed, vpon paine for euery default to forfeit xx. s. Nor any person shall die any wooll to be conuerted into Cloth, called Russlets, Buffers, Marbles, Graies, Raies, and such like colours, or to be conuerted and made into Hats or Caps, vnlesse the same wooll be perfectly woaded, boiled & madderred, according to the true & auncient vsage, vpon paine of forfeiture for the false dying of euery such Cloth, or of as much wooll as shall serue for the making of euery Cloth contrary to the true meaning hereof, xl. s. Nor shall die with Brasell to the intent to make a false colour in Cloth, nor wooll Hattes nor Caps, vpon paine for euery default to forfeit xx. s. to the D. and J. to be recovered by A. B. P. J. wherein no W. E. P. &c. 3. Ed. 6. 2.

72 No person shall occupie anie Iron cards, or Pickards in rowing ^{Iron cardes pickardes.} of any set Cloth, or any maner of woollen Cloth, vpon paine to forfeit as well

Draperie.

Sigmilles.

well the said Iron cardes and Pickardes, as also the summe of xx. s. for euery such offence. 3. Ed. 6. 2. And if any person occupie any Sigmill for the workmanship of any woollen cloth, he shall forfait for euery cloth wrought in or by anie of them v. l. to the D. and J. to be recovered by A. J. B. J. wherein no W. C. P. J. &c. 5. Ed. 6. 22.

Measure of Cloth.

73 No person shall sell anie cloth by anie lesse measure, then after the true content thereof, to be moten and measured by the yard, adding to euery yard one inche of the rule. 6. H. 8. 9. 3. Ed. 6. 2.

Buying of coloured wooll and yarne.

74 No person shall buy anie coloured wooll, or coloured woollen yarne of anie Carder, Spinner, or Weauer, but onely in open Market, vpon paine of forfe. of such wooll and yarne so bought, to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 6. H. 8. 9.

A Clothier shall haue but one woollen Loom.

75 No person vsing the feat of cloth making, and dwelling out of a Citie, Borough, Market Towne, or Corporat Towne, shall haue in his possession, aboue one woollen Loom at one time, nor shall directly or indirectly, take any commoditie, by letting any Loom, or any house wherein anie Loom shall be occupied which shall be together by him let, vpon paine of forfeiture for euery weeke that anie person shall do contrarie xx. s. to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. and 3. P. and D. 11.

No Weauer shall keepe aboue two Loomes.

76 No woollen weauer vsing the feat of Weauing, and dwelling out of a Citie, Borough, Market town, or Towne corporat, shall haue or keepe at one time aboue two woollen Loomes, or receiue anie commoditie by anie more then two Loomes at one time, vpon paine to forfe. for euery weeke that anie person shall do to the contrary xx. s. to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & D. 11.

No Weauer shalbe a Tucker.

77 No person which shall occupie onely the mysterie of a weauer, and not cloth making, shal (during the time that he shal vse the feat of a Weauer) haue anie tucking mill, or shall exercise the feat of a Tucker, Fuller, or Dier, vpon paine to forfe. for euery weeke that he shal so do, xx. s. to the D. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & D. 11.

No Tucker or Fuller shall keepe a Loom.

78 No person which shall vse the feat of a Tucker, or Fuller, shall during the time that he shall so vse the said feate, haue anie Loom in his house or possession, or shall directly or indirectly take anie profite by the same, vpon paine to forfait for euery weeke xx. s. to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & D. 11.

No man shall be a Weauer but which hath bene apprentice.

79 It shall not be lawfull for anie person to set vp the mysterie of Weauing, vnlesse the same person haue bin Apprentice to the same mysterie, or exercised the same by the space of vii. yeeres at the least, vpon paine of xx. l. to be forfe. to the D. & J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. & 3. P. & D. 11. And whosoever shall weaue or make, or put to weauing or making, woollen cloth, long or short Kerseis, Pinned whites, or Plaine Straits, vnlesse he hath bin Apprentice to the occupation of making,

king,

king, weauing, & rowing of cloth or Kersey, or haue bene exercised therein by the space of vii. yeeres before, shall forf. such Cloth or the value thereof to the D. & J. to be recovered by A. B. P. J. wherein no W. C. P. J. &c. 4. & 5. P. & D. 5. But this Act of 2. & 3. P. and D. is not prejudiciall to any persons dwelling in the Counties of Yorke, Cumberland, Northumberland, and Westmerland, but euerie of them shall and may keepe Loomes in their houses, and exercise euerie thing concerning Spinning, Weauing, Cloth-working, and Cloth-making in the said Counties, as they might haue done lawfully before, 2. and 3. P. and D. 11.

Loomes kept in the counties of Yorke, Cumberland, Northumberland and Westmerland.

80 The weauer which shall haue the weauing of any woollen yarne to be webbed into Cloth, shall weaue, worke, and put into the webbe for cloth, to be made thereof, as much and all the same yarne, as the Clothier or any person for him shall deliuer to y same weauer, with his vsed marke put to the same, without changing, or any part thereof leauing out of the same webbe, or els shall restore to the same Clothier the surplusage of the same yarne, if anie shalbe left not put into the same web, and without any more oile, broome, moisture, sand, dust, or other deceivable thing putting to the same webbe, vpon pain to forf. for euerie default, iii. s. iiii. d. to the Queene and Informer, to be recovered by A. J. &c. wherein no W. C. P. &c. 6. P. 8. 9.

The Weauer shall put into the Cloth all the yarne, or restore it.

81 No person shall vse the misterie of making, weauing, or rowing of woollen clothes long or short, or Kerseys, Pinned whites, or Plaine Straits, to the intent to put the same to sale, but onely in a Market towne, where cloth hath commonly bene vsed to be made by the space of x. yeeres last past, viz. (before 20. Ianuarij, An. Do. 1557.) or in a Citie, Borough, or Towne corporat, vpon paine of forf. for euerie such woollen Cloth, or Kersey made, woouen, or rowed out of such Citie, Borough, or Towne corporat, or Market towne, v. l. to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 4. and 5. P. and D. 5.

None shall occupie clothng but where it hath bene vsed &c.

82 But it shalbe lawfull to any person now (viz. at the making of this Act) vsing the feat of making, weauing, or rowing of Cloth or Kersey, to inhabit where he now doth, & there to vse the making, weauing, or rowing of Cloth or Kersey, as he hath done heretofore. 4. and 5. P. and D. 5.

Inhabitants at the time of the Statute.

83 And it shall be lawfull to euerie person, which doe or shall dwell in any of the Shires of North-wales, South-wales, Cheshire, or Lancashire, Westmerland, Cumberland, Northumberland, Bishoprike of Durham, Cornewall, Suffolke, Kent, the Towne of Goddelmine in the Countie of Surrey (or Worekeshire, being not within twelve miles of the citie of Yorke) or in any the Townes or Villages neere adioyning to the water of Stroude in the Countie of Gloucester, where cloth hath bin vsually made by the space of xx. yeeres last past, & hauing bin Apprentice to the occupation of cloth-making, or exercised in the same by the space of vii. yeeres, to set vp, and exercise the feate of making, weauing, or rowing

Places excepted wherein cloth may be made.

of cloth, out of a Citie, Borough, or Market towne, as heretofore they might haue done. 4. and 5. P. and M. 5.

Worcester
Wicc.

84 No person shall make, or cause to be made within the Shire of Worcester, any woollen clothes to be sold, except onely such persons as shalbe dwelling within the citie of Worcester, the Boroughs & Townes of Evesham, Droitwich, Kederminster, & Bromesgroue, within the said countie of Worcester, or in any one of them, vpon paine of for. for euery broad cloth made by any person, contrary to the meaning of this Act, xli. s. to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. But this act shall not be preiudiciall to anie persons for making anie clothes for their owne, their children or their seruants wearing. 25. H. 8. 18.

Bocking,
Westbarfold,
Cockshall,
Dedham.

85 It shall be lawfull to euery such person which doe or shall dwell in Bocking, Westbarfold, Cockshall, and Dedham, in the Countie of Essex, or in anie of them, that doe or shall exercise the feate of making, weauing, or rowing of Cloth or Kersey, by the space of vii. yeeres at the least, or haue bene p[re]ntice thereto by the said space, to dwell in any of the said Townes or Villages, and to vse the making, weauing, or rowing of Cloth or Kersey, as befoze this time they might haue done, if the said Act of 4. & 5. P. & M. had neuer bene made, anie lawe, &c. notwithstanding. 1. Eliz. 14. And it shalbe lawfull to and for all and euery such person or persons which now do inhabit or dwell, or that hereafter shall inhabit or dwell in the Townes or Villages of Borstead and Langham in the Countie of Essex, now vsing or exercising, or that hereafter shall vse or exercise the feat or misterie of making, weauing, or rowing of cloth or Kersey by the space of vii. yeeres at the least, or haue bin, or shalbe hereafter p[re]ntice thereunto by the space of vii. yeeres, to inhabit and dwell in the said Townes or Villages of Borstead & Langham, and there to vse the making, weauing or rowing of cloth or kersey, as befoze the making of the said statute of 4. and 5. P. and M. they might haue done, and as if the said act had neuer bene had or made. Any thing in the said act, or anie other act &c. notwithstanding. 27. Eliz. 23.

Borstead and
Langham in
Essex.

Somerset,
Wiltshire,
Gloucester.

86 Anno 18. Eliz. 15. the foresaid branch of the said statute made 4. & 5. P. & M. as touching onely the vse of the mysterie of making, weauing, or rowing of wollen clothes, to the intent to put the same to sale but onely in a Market towne, Citie, &c. and all penalties &c. by reason of the said branch, as against any persons exercising the said mysterie, &c. within the Counties of Somerset, Wiltshire, & Gloucester, or any of them, be repealed & made void. But euery person being by this statute allowed to exercise the said misterie &c. not being by the former stat. (made 4. & 5. P. and M. 5.) allowed thereunto, shalbe subiect vnto such search, for. & other orders, as other persons dwelling out of Boroughs & Townes corporat allowed of by the said former act, or any other statutes, were subiect vnto befoze the making of this act. 18. Eliz. 15.

87 No person dwelling or abiding within anie of the said counties of Somerset, Wiltshire, or Gloucester, shall vse the said misterie of making, Weaving, or Rowing of anie woollen cloth out of anie Citie, Borough, Towne corporat, or Market towne, except only within such houses and places in the said Counties, as such woollen clothes haue beene most commonly vled to be made, wouen or rowed, by the space of ten yeeres next befoze y^e making of this Act (being 8. February, An. Domini 1575.) vpon paine of forfaiture for euery such cloth made, wouen, rowed, &c. v. l. to the Queene and A. 18. Eliz. 15.

Inhabitants at the time of the statute.

88 Such person as shall vse the trade of cloth making in anie of the houses and places where woollen clothes haue bin most commonly vled to be made, wouen or rowed by the space of x. yeeres next befoze the making of this Act (being 8. Februarij, Anno Domini 1575.) within anie of the counties of Somerset, Wiltshire, and Gloucester, out of a Citie, Borough, Towne corporat or Market towne, which now doth not vse the said trade, shall not keepe in his occupation or manurance aboue xx. acres of land, medow, and pasture at the most. And euery person now vsing the said trade, out of a Citie, Borough, Towne corporat or Market towne within anie of the said Counties, shall not take into his Occupation or manurance any land, medow, or pasture, but that which he now hath, or as much onely in lieu thereof, vpon paine of forfaiture for euery acre of land, medow, and pasture, by such person occupied or manured, contrarie to the tenure of this Act, for euery yeere that he shall so occupie the same, and so vse the trade of Cloth-making, vi. s. viii. d. to the Q. and A. 18. Eliz. 15.

How much land a clothier may keepe in his occupation.

This word (now) is to be construed at the time of the stat. made.

89 The Lords and owners of the meases, tenements, or cotages with- in the citie of Worcester, or any of the boroughs or townes of Evesham, Droitwich, Kederminster, and Bromesgroue, shall at no time let anie mease, tenement or cottage sufficiently repaired within the said Citie, Boroughs, or Townes, to any person that shall inhabit in the said Citie, Boroughs, &c. and exercising the misterie of clothing at any higher rent, imposition or charge, then was giuen for the same at any time within xx. yeeres next befoze the making of this Act, (being 25. die Ianuarij, Anno Domini 1533.) 23. H. 8. 18.

The rents of clothiers houses in Worcester.

90 The Queenes Aulneger shall be sworne to do his Office well and lawfully, & in case he thereof be found in default, and attainted befoze the Governours of Faïres, Maiors or Bailifes of the places where the Cloth be bought, or befoze any other whom the Queene shall assigne, he shall be one yeere imprisoned, ransomed at the Queenes pleasure, and put out of his office for ever, and he that will sue, shall haue the one halfe. And the Aulneger shall answer as well for his Deputies, as for himself. 25. Ed. 3. 1.

Aulneger sworne.

The Aulneger shall be expert, & worth a C. li.

91 The Treasorer of England, or his Deputie, shall appoint no person to be Aulneger, Sealer or keeper of the Seale, appointed for the Sealing

Draperie.

Sealing of clothes in any part of this Realme, but such as be expert in the making of cloth, and worth a T. pound at the time of the said Deputation, 1. R. 3. 8.

Aulnage let
to farne.

92 The Treasourer of England for the time being, hath authoritie to let to farne the Subsidies and Aulnage of Clothes, which ought to be Sealed, (vnto persons which be no Strangers bozne. 1. R. 3. 1.) willing to haue the same to farne, by sufficient suretie, and the farmors shall haue the one halfe of all the forf. of all the Clothes and pieces of the Clothes set to sale not Sealed with the said Seales, to their owne vse, paying therefoze, and for the said Subsidie and Aulnage to the Queene at her Eschequer such peerey summe of money, as shalbe agreed betwixt the Treasorer and them, and to be accomptants to the Queene of the other halfe of the said forf. at the said Eschequer. 17. Ed. 4. 5.

No cloth shall
be sold before
the Aulnegers
fee be paid.

93 If any Clothier do put any cloth or Kersey to sale, before he shall haue paid to the Aulneger or his Deputie, the accustomed fee, or agree for the same as he hath bin accustomed, he shall forf. for euery default xx. s. to the Q. and J. to be recovered by A. J. &c. wherein no W. E. P. &c. 5. Ed. 6. 6. And if any person making any whole Coloured cloth, Dozens, or clothes of Ray, do fold or tacked the same together, before the Aulneger hath duely searched or surueyed the same, that they hold their length and breadth, ordeined in the Statutes therefoze provided, he shall forfeit the same. And the Aulneger which putteth the Seale thereunto ordeined, to Cloth which is not of Assise, shal forf. at the first default x. p. at the second xx. p. and at the third his body shall be arrested, and his goods at the Queenes pleasure. 11. H. 4. 6. But the Marchants which doe buy the same Cloth to cary out of the Realme, may fold them together, for the more easie cariage of them. 13. R. 2. 11.

Aulneger sea-
ling cloth wan-
ting assise.

Cloth made
within the said
Countie onely
shalbe sealed.

94 No Aulneger, Sealer, or keeper of the Seale appointed for the Sealing of cloth, shall Seale any whole Clothes, halfe Clothes, Straits, or Kersleys, but such as shall be onely made within the Countie, Citie, Borough or towne where he shall be deputed Aulneger, Sealer, or keeper, vpon paine to forfeit to the Queene for euery such whole Cloth contrary Sealed, iii. l. vi. s. viii. d. for euery halfe Cloth xxx. s. iiii. d. for euery Strait xx. s. and for euery Kersey x. s. 1. R. 3. 8.

No cloth sold
before the Aul-
neger & owner
hath set their
Seale & marke.

95 Euery Clothier putting any clothes to sale, before they shall be Sealed by the Aulneger of the said Countie, where any of them be made, or before y^e said Clothier hath wou^e his seuerall marke in the said clothes, and hath set his Seale of Lead containing the length of the same clothes, shall forfeit his clothes to the Q. and J. to be recovered by A. J. &c. wherein no W. E. P. &c. And if the Aulneger of anie Countie do seale anie of the said clothes with the Queenes Seale, vntill such time as they be ordered and Sealed with their contents in forme aforesaid, he shall loose his office. 27. H. 8. 12. But all cloth made to be sold within the citie of Worcester,

Worcester, the towne of Droitwich, Evesham, Reddymminster, and Bromsgrau, in the countie of Worcester, shall be sealed with the Seale of the Searchers there, and the owners shall not be compelled to put their owne seales to any clothes there made. And the Searchers shall haue for the searching and sealing of euery cloth i. d. and not aboue. 25. H. 8. 18. 27. H. 8. 12.

96 If any Aulneger, or Collector of the Subsidie of clothes, doe set his Seale to any cloth, hauing the pieces tacked and set together with theeedes, the same cloth shall be forfeited to the Queene, in whose hands so euer it be found. And also the Aulneger or Collector found guiltie, shall forfeit his Office. 3. R. 2. 2.

97 Though cloth, through the default of the Carders, Spinners, or weauers, doe proue either pursie, bawdy, or squaly, by warpe or woofe, or els happen to be euill burlled, or wasted in the mill, or through the negligence of the Milman, or otherwise to be full of holes, milbrakes, or holy, yet the Aulneger shall set his Seale to such cloth, But the accustomed fees and allowances shall be notwithstanding paid to the Aulneger, vpon paine of forfeiture of such whole cloth, or the value thereof. 5. Ed. 6. 6. 4. and 5. H. 8. 5.

98 The Aulneger shall take for euery cloth that is measured, which is of allise, of the seller, ob. and of the halfe cloth qz. for his Office and no more, And he shall take nothing for clothes which bee lesse then a halfe cloth, nor shall meddle with the measuring of any cloth, but onely with the clothes which are to be sold, And such clothes, the which shall be put to sale, before they be sealed with the said Seale, shall be forfeit to the Queene &c. and seised into her hands by the Aulneger or his deputie, or otherwise by the Bailife of the towne where such clothes not Sealed shall be found. 27. Ed. 3. 4.

99 If the Aulneger or keeper of the Seale, do refuse to shew his commission of his Office, to any person desiring the same, vpon the Sealing or measuring of any Broad clothes, Straits or kersies, and that examined and duely proued, he shall forfeit. 4. Ed. 4. 1.

100 The Aulneger in Wales by himselfe, or his sufficient deputie or deputies, shall in all things to his Office appertaining do and answere in euery case, according as euery other Aulneger, in the Realme of England ought to doe. And for the contrary exercising of the said Office, shall in euery case suffer, as by the Lawes and statutes is ordeined for Aulnegers vnder the Lord Treasorer of England. 34. H. 8.

101 No person shall sell or put to sale within the County of Lancaster, or carry or cause to be carried out of the said county any kind of clothes, Cottons, Frizes, or Rugs, made within the said Countie to be solde, before the owner or maker of euery such cloth &c. shall put to the same one Seale of Lead, hauing the marke of euery such owner or Clothier, ingra-

No sealing of tacked cloth.

Faultie cloth sealed.

The Aulneger's fee.

The Aulneger shall shew his Commission.

Aulneger in Wales.

The owners marke set to Clothes in Lancashire.

Draperie.

The Aulne-
gers Seale.

ued on the one side thereof, and the true length of euery such cloth, Frize, Cotton or Rug, as it is found being wette, to be ingraued on the other side of the said Seale. And also the Queenes Aulneger of the said County palantine for the time being, vpon trial of the weight of euery such Cotton, Frize, & Rugge, shall see or cause to be fixed to euery such Cotton &c. the Queenes Seale of Lead, hauing the Portcullis crowned, ingraued on the one side thereof, and the true weight of euery such Cotton, Frize or Rug to be ingraued, on the other side of the said Seale, vpon paine of forf. of all & euery such Clothes, Cottons, Frizes, and Rugs, conueied, caried, sent, sold, & put to sale, or to the intent to be sold, being vnsealed contrarie to the meaning of this Act, to the Queen & to such persons, as shall seise, or will sue for the same Cloth &c. to be recovered by A. J. &c. wherein no M. C. P. &c. But this Act shall not be prejudiciall vnto any Charter, or Libertie of any Borough, or corporate Towne within the said Countie Palantine of Lancaster, concerning the making and putting to sale of any wollen cloth. 8. Eliz. 12.

The Aulne-
gers deputies.

102 The said Aulneger shal haue his lawfull deputy within euery of the seuerall Townes of Manchester, Rochdale, Bolton, Blackborne, Berie, in the same County where the said Aulneger hath bin accustomed to haue his Deputy heretofore, there to be ready vpon lawfull request vnto him made without delay, to weigh euery of the said Cottons, Frizes, and Rugges, as shalbe brought vnto him, and Sealed with the Seale of the owner or maker thereof, & to set to euery of them the Queenes Seale ingraued in maner & fourme aforesaid, vpon paine of forf. of xx. s. for euery packe of Cottons, Frizes or Rugges, Sealed by the said Aulneger or any of his said Deputies, before the same be weighed in fourme aforesaid, to the Queene and Informer, to be recovered by A. J. &c. wherein no Mager, C. P. &c. And it shall be lawfull for the said Aulneger or his Deputie, to take of the owner or maker of euery of the said Clothes, Cottons, Frizes or Rugs, for the weighing and Sealing of euery packe of them, iii. d. & for euery piece of such course Clothes, Cottons, Frizes, and Rugs, not amounting to a whole packe, ob. and the same to be paid by the owner or bringer of the said Clothes at the waighing and sealing of the same. 8. Eliz. 12.

The Aulne-
gers fees in
Lancashire.

Transporting
of Cloth

103 No person English, Denizen, or Stranger, shall transport or cause to be transported into any of the partes beyond the Sea, any cloth, Kersey, Frize, or Cotton of the seuerall sorts before recited in the statute of (5. Ed. 6.) vntlesse the Queenes Seale, or Aulnegers Seale of this Realme, and the Seale of the owner or maker of the cloth (declaring therein the length of the cloth as it shall be in the water) be set vpon euery such cloth, vpon paine to forf. euery such cloth lacking the same Seales or any of them, or the value thereof, to the Q. and J. to be recovered by A. J. &c. wherein no M. C. P. &c. 5. Ed. 6.

104 Every white wollen Cloth sold for 4. li. and under, and every coloured Cloth sold for three pounds and under, may be carried beyond the sea there to be sold, at the pleasure of the buyers of the said Cloth unbarbed, unshorne, and unrowed, any Act &c. notwithstanding. 27. H. 8. 13. But no person shall carry or ship, or cause to be shipped any white wollen cloth, above the value of iiii. li. or any coloured cloth above the value of three pound unrowed, unbarbed, or unshorne, to the intent to be conveyed into the parts beyond the Sea, upon paine of forfe. of the same Cloth or the value thereof, to the Q. and J. to be recovered by A. J. &c. wherein no T. A. E. H. &c. 33. H. 8. 19.

Of what value Cloth carried over may be.

105 No person shall carie or cause to be carried beyond the Sea any Wollen yarne, or Cloth not fulled, but the wollen yarne which shall be woven in this realme, & also all Cloth therein made shall be fulled, & fully wrought within this realme, before it be carried out of this realme, upon paine of forfe. of the verie value of all such yarne unwoven, & cloth not fulled, carried out of this Realme to the Q. and J. &c. 7. Ed. 4. 3.

Transporting of wollen yarne or cloth not fulled.

106 No person, Stranger nor other, shall convey any wollen cloth over the sea, unless the same Cloth be fully watered, upon paine of xl. s. 1. R. 3. 8.

Transporting of Cloth not watered.

107 No person shall bring or cause to be brought into the Realme of England, Ireland, or Wales, any Clothes made in any other place then within the said realmes (clothes taken by any of the Q. liege people upon the sea without fraud onely except) upon paine of forfeiture of the said Clothes, & further to be punished at the Queenes pleasure. 11. Ed. 3. 3. 4. Ed. 4. 1. Nor any man under the estate of a Duke, Marques, Earle and their children, and under the degree of a Baron, (except he be a Knight of the Garter) shall weare in any part of his apparell any wollen cloth, made out of the Queenes dominions, except in Bonets onely, upon paine of forfe. of the same, and iii. s. iiii. d. for every day that he shall weare the same. 24. H. 8. 13. S. Apparell 3.

No Clothes wrought beyond the Sea, shall be brought into England.

Who may weare Clothes wrought beyond the Sea.

108 For every ix. Clothes unwrought to be shipped or carried into any the parts beyond the Seas, contrary to the forme of any statute in force, by force of any licence, the partie that shall ship or carrie the same, shall ship and carry over also one like wollen Cloth of like sort, length, breadth, and goodnes, readie wrought, and dressed, viz. rowed, barbed, first coursed, and shorne, from the one end to the other, so that every tenth Cloth passing over the seas in forme aforesaid, shall be dressed within this Realme, before the same shall be shipped or transported over, upon paine to forfe. for every such ix. Clothes so to be shipped or transported contrarie to the meaning of this act, ten pound to the Queene, and the Master and wardens of the company of Clothworkers, to the reliefe of the poore of the said company, to be recovered by A. J. &c. wherein no T. A. E. H. &c. But every such tenth Cloth so to be transported ready wrought, shall not be accompted any

Clothes transported by licence

Draperie.

of the clothes permitted to be transported by force of such licence, but that such person as shall haue such licence may transport according to such licence, the full number of Clothes vnwrought, mencioned in the same licence, ouer and aboue the number of such tenth clothes, which they shall be compelled to ship, & carry ouer by force of this statute, 8. El. 6.

Kentish and
Suffolke cloth
shall not be
transported
vnwrought, by
any licence.

109 No person shal ship or cary beyond the seas, contrary to the forme of any statute heretofore made, now remaining in force, any Cloth commonly called Kentish Cloth, or Suffolke Cloth, made in the Counties of Kent or Suffolke vnwrought and vndressed within this Realme, that is to say, not rowed, barbed, first coursed and shorne, vpon paine to forfait for euery such Cloth so to be shipped or transported xl.s. to the D. and the master & wardens of the company of Clothworkers, to the reliefe of the pooze of the said company to be recovered by A. J. &c. wherein no T. A. E. D. And no licence for transporting of any Cloth, shall be expounded to extende to any such Kentish or Suffolke Cloth, made in either of the said Counties to be transported. 8. El. 6.

Deuonshire
kerlie rawe.

110 Each kersey called Deuonshire kersey or dozē, which shalbe made and wouen within the county of Deuon, or any other countie next adioyning thereunto, being rawe, vnsowzed, vntucked, and vnwette, as it cometh from the weauers beame, and being made of cleane & perfect stuffe, viz. of wool shorne, clenfed, and thoroughly washed, or scoured, after the shearing, and before the weauing, without any fraud, deceite, policie or deuise, or any stuffe thereunto deceitfully or unlawfully added in the working, or after the working thereof, for increase of the weight, shall weigh in the market 15. pounds or vpwards. 35. El. 10.

Rudge wash
kerlie.

111 Euery rawe Deuonshire kersey or dozen wouen and made in the said county of Deuon, or any of the other counties adioyning being a rudge wash kersey, viz. being made of fleece wooll washed onely on the sheepes back, and the wool not being clenfed, washed, & scoured, after it is shorne, and before it is wouen shall without any fraud &c. weigh in the market 17. pounds at the least being raw as it cometh off the weauers beame, and each & euery of the same Deuonshire kerlies or dozens so being raw, and as it cometh forth of the Weauers loome (without racking, stretching, streining, or other deuise to increase the length thereof) shall containe in length betweene 15. and 16. yardes by the measure of yarde and inch by the rule, without which obseruation of weight being raw, they cannot fall out (after they be well scoured, thicked, and fully dried) to containe the length and weight expessed and limitted in the statute of 4. and 5. D. and D. viz. 12. yardes in length, and 12. pounds in weight. 35. Eliz. 10. See 20.

Weight.

The penalty

112 If any weauer shall worke or make any of the said kindes of kerlies, of lesse weight or measure then is before mentioned after their kinde, euery such offender shall forfait for euery quarter of a pound in weight,

welght, which any of the said raw Kerlies or dozens which shalbe brought to any Market, or sold, or offered to be sold, shall want of their weight aforesaid, xii. d.. And for euery quarter of a yarde which shall be wanting in length of either sort of the said Kerlies, likewise being sold or offered to be sold xii. d. And each sort of the said kerlies or Dozens shall be sewantly wouen thozughout, of well and like sorted yarne: And no weauer shall vse any diuersitie in the bignes or goodnes of his yarne in any part of the said kerlies, sauing onely in the Listes, nor vse any other practyse in the edging or weauing of any the same Kerlies or Dozens to make the same seeme finer neere the edge or listes, then in other partes of the same Cloth. 35. Eliz. 10.

The dozens shalbe sewantly wrought throughout.

113 Each weauer shall weaue his shop marke of some coloured yarne in the ende of euery Kersey wich hee shall weaue or make, and shall also at each end of euery of the same Kerlies weaue one purrell likewise of coloured yarne, of the breadth of three quarters of an inch at the least, whereby the deceitfull cutting and diminishing of such Clothes by Tuckers or Fullers heretofore vled, may henceforth be preuented. And if any weauer shall vse any deceit in mingling his yarne, or shall omit his shoppe marke, or shall not weaue in euery Kersey two purrels, according to the tenor of this act, he shall forfeit and loose for euery offence to the contrary x. s. 35. Eliz. 10.

A weauers shop marke.

A purrell at each end.

114 No weauer nor any other person whatsoever, shall offer or put to sale any of the same raw Kerlies called Dozens, befoze the same haue bin viewed, weighed and marked in some cite, towne corporate, or market towne, and allowed by such officer, and marked with such markes, as shalbe there in such cite or towne vled and appointed for that purpose, vpon paine to forfeit and lose for euery cloth sold, or offered to be sold to the contrary x. s. to the D. and the principall officer or Maiestrate of the cite, towne corporate, or market towne next adioyning to the dwelling or working place of such weauers as shall offend in any of the premisses, if he the same officer or maiestrate shal first make seisure therof. Or els to the principall Officer of that Cite, Towne corporate, or market Towne, where the same shall be sold or offered to be sold. To be recovered by A. B. P. or J. with costes in any Court of Recorde, wherein no M. C. P. &c. 35. Eliz. 10.

Dozens shalbe viewed, weighed and marked

115 The principall Officer or Maiestrate for the time being in euery cite, towne corporate, or market towne of the said countie, or of any other of the Counties adioyning, where any such Kerlies called Devonshire Kerlies or Dozens now are, or hereafter shall be wouen, made, offered, or put to sale, shall euerie yere from henceforth, appoint and haue in readiness at all times needfull, two or more discreete persons, which shall be speciall and known officers and searchers, which shall attend, and shall be at his or their entrie into his or their said office swozne during his and

Searchers.

Draperie.

their continuance in the said Office, truly to view, weigh, and marke eche Kersey called a Dozen in such citie or towne, or any of them, made, sold, or offered to be sold or put to sale, and to present each offence of defect, which shal there fall out, contrary to the true meaning of this Statut, euery which searcher or Officer, so to bee hereafter appointed for this purpose in any such citie, towne corporate or market towne, shall haue authoritie to enter in the day time, into all shops, warehouses, workehouses, and other places conuenient of the same Citie, or towne, where he or they shall be so appointed, there to view, search, and see whether any Kersey or Dozen bee made, sold, or offered to be sold contrary to the true meaning of this Act, and also to see what paines, penalties, and forfeitures shall be growen due to her Maiesty by any weauer, seller or buyer, within the liberties and precincts of the same towne, taking only of and for the weighing, & marking of euery Kersey a farthing for his paine, and so according to the number, and no more, which farthing vpon euery Kersey is to be paid by the seller of the same Kersey. 35. Eliz. 10.

Searchers not appointed or not attendant.

II 6 If such searchers and officers shall not be perely appointed and attendant at all times reasonable & conuenient, or shal neglect his or their duties in the true search, weighing, and marking of the said kersies, or any of them, or shall marke any one kersey, which wants of his weight, as is aforesaid, then and in euery such case the chiefe magistrate of euery such citie and towne, shal forfeit and lose for euery such offence of their searcher or searchers xx.s. and for euery market day they shall want two or one at the least of such searchers the summe of xl. s. to be leuied as hereafter is expressed. 35. Eliz. 10.

No dozen shal be bought or dressed before it be tried.

II 7 No maner of person or persons whatsoeuer, shall buy any such rawe Kersey called Deuonshire Kersey or Dozen, in any market or elsewhere, vnielless the same shal be first tried, weighed, and marked, by the officers of some citie, towne corporate, or market towne, as is aforesaid. And no weauer, tucker, fuller, or other whatsoeuer, shall dresse or cause to be dressed any of the said rawe clothes called Deuonshire Kersies or Dozens, vnles the same be first tried, weighed, and marked in some one market towne by the searcher or searchers there in that behalfe appointed, vpon paine of forfeiture of euery such Kersey so bought, dressed, or put to dressing, which shal not before be tried and marked as is afoze mentioned.

Diminishing the length of a dozen.

No Clothier, Tucker, Fuller, or other person whatsoeuer, shall at any time from hence forth cut or diminish the length of any kersey called a deuonshire Kersey or Dozen, and after offer or put the same to sale, as a whole Kersey or Dozen, vpon paine of forfeiture of xx.s. for euery of the same Kersies or Dozens so cut or diminished to the Queene and Informer to be recouered by A. B. P. or J. with costes, wherein no P. C. or E. &c. 35. Eliz. 10. 39. Eliz. 18. This act to endure vntill the end of the next Parliament.

The forfeiture

118 No person or persons within any the Counties of Yorke, Lanca-
ster, or any other the counties on the North side of Trent, shall stretch or
straine, or cause to be stretched or strained, any Clothes, Dozens, Kersies,
Penistones, Rugges, Frizes, Kighley whites, plaine graies, or any other
Clothes, by what name or names soever they be called, made or hereafter
to be made, within the said Countie of Yorke, Lancaster, or any other the
counties on the North of Trent, vpon paine to forfait for euery default,
b.li.39. Eliz. 20. Sec 64.

Stretching or
straining of
Northen cloth.

119 No person or persons within the counties aforesaid, or any of the,
shall haue, vse, or occupie any Center, of what sort or kinde soever, or any
manner of wench, rope, or other engines, to stretch or straine any clothes,
kersies, dozens, penistones, rugges, frizes, cottons, Kighley whites, plaine
graies, or any other Cloth, of what kinde or name soever it, or they be cal-
led, made, wrought, or to be made or wrought within the said Counties,
vpon paine that euery offendor, that shall haue or vse, or exercise any such
Center, of what sort or kind soever, or any manner of rope, winch, ring,
head or engine, shall forfait for euery such default twentie pounds. 39.
Eliz. 20. Sec. 64.

Potenter, rope
or winch to
straine North-
then cloth.

120 Euery person or persons within the Counties aforesaid, or any of
them, which shall make, or cause to be made, any Clothes, kersies, dozens,
cottons, penistones, plaine graies, Kighley whites, frizes, or any other
cloth, by what name or names soever, it or they be called, shall make the
same of such weightes, lengthes and bredths, as by the Statutes of this
Realme already in force is provided, vnder the paines in the same Sta-
tutes contained, and before the same be solde, or offered to be solde, shall
set his Seale of Lead, vnto euery of the same Clothes, Kersies, Dozens,
Cottons, plaine graies, Penistones, Kighley whites, frizes, or by what
name or names soever, it or they be called: In which said Seale of lead
shalbe contained, the true and iust length, and the true and iust weight
at the least, of euery such cloth, kersie, dozen, cotton, penistone, plaine
graies, Kighley whites, frizes, &c. as it shall be duely found by due prooue
thereof to be tried by water or weight, vpon paine to forfait euery cloth
kersie, dozen, cotton, penistone, plaine graies, Kighley whites, frizes, or
other clothe &c. which shall bee made within any the Counties aforesaid,
whereunto such Seale as is aforesaid, shall not bee put and set. And in
case vpon prooue to be made by water or weight of any such clothes, ker-
sies, dozens, cottons, penistones, plaine graies, Kighley whites frizes, or
any other cloth as is aforesaid, shall bee found of lesse weight or of smal-
ler content in length, then is contained or specified in any of the said
Seales, the owner of euery such clothes, kersies, dozens, cottons, peni-
stones, plaine graies, Kighley whites and frizes, or any other Cloth &c.
or any other person or persons in whose handes or possessions, any such
Clothes, Kersies, Dozens, Cottons, Penistones, playne Graies,
Kighley

See Drapery 5. 27

A seale of lead
containing the
length & weight.

Draperie.

The forfeiture

Kighley whites, frizes, or any other cloth, shalbe found, shall forfeit for euery yard wanting in length liii. s. & for euery pound wanting in weight ii. s. 39. Eliz. 20.

121

And for the better and more speedy and effectual reforming of all such abuses, as is aforesaid, in euery Parish, Towne, Village, and Hamlet within the counties aforesaid, where any clothes, kersies, dozens, cottons, penistones, plaine graies, Kighley whites, frizes, or any other cloth, by what name or names soeuer they be called, shalbe made or sold, the Iustices of peace of the same shire or riding, or two of them at the least, and in euery citie, borough or towne corporate, the head officer or officers of euery the same city, borough, or towne corporate, together with some one or two of the Iustices of the peace of the Shire or riding next adioyning to such citie, borough, or towne corporate, shall haue full power and authority, and shall by vertue of this act, once euery yere at the least, and as often as they shall thinke good, to conuent, and call befoze them by their precept or otherwise, two, foure, sixe, or eight, or more as they shall thinke good by their discretion, of the most honest, discrete and able men of euery such citie, towne, village, hamlet, or Parish where any cloth shalbe made or sold, and them shal constitute, ordeine, & appoint to be ouerseers for one whole yere or six moneths, or shorter time at their discretions, then next following, within the citie, borough, towne, village, hamlet or parish, where the same ouerseers shalbe dwelling, and shall and may take them swozne and bound in recognisance of xl. li. a peece, to the vse of the Queene and her successors, or do their best indeauor by all lawful waies and meanes for their time, to see that this statute in all points shalbe truly obserued and kept within the limits of their charge in euery part thereof: And the same ouerseers, or two of them, shall once euery moneth at the least, or so often as need shall require, or they shal thinke fit by their discretions by force thereof, visit and goe into all or any house or houses, shops, or other roomes of any clothiers, Drapers, clothworkers, or of any other person or persons whatsoeuer, where any of the said cloth shalbe, & there to make due search, and view the same made, or remaining to be sold, and to take, search, & try aswel by weight, water, or any other way whatsoeuer, the said cloths, kersies, dozens, cottons, penistones, kighley whites & frizes, or any other cloths &c. And if any clothes aforesaid, vpon search therof, shal not be found to be sealed with a seale, containing the length and weight as aforesaid, then the Clothier, and euery owner of the said cloth, shall forfeit euery such cloth, kersies, dozens, cottons, penistons, Kighley whites, and frizes, or any other cloth &c. made within the counties aforesaid, not so sealed and sold, or offered to be sold. And the said ouerseers and euery of them, shall, and may seise and carry away the same so forfeited as aforesaid, & present the same to the Iustices of peace at the next quarter Sessions, to be by them disposed of, as hereafter is in these presents limited and appointed. And if the

Ouerseers appointed by the Iustices & head officers.

The ouerseers may make search.

The ouerseers may seise and carry away the faulty cloth.

said

said Overseers shall find any false seale or marke to be set vpon any cloth aforesaid, or shall vpon search as aforesaid, find the same clothes aforesaid to be stretched or strained, then the same Overseers shall present the same defaults vnto the Iustices at the next quarter Sessions, and the names of the owners or possessors of such cloths, kerlies, dozens, cottons, penistons, Kighley whites, and frizes, or any other clothes &c. so found defectiue: And if any maner of person or persons, shall deny, withstand, or with hold any clothes, kerlies, dozens, cottons, penistons, Kighley whites and frizes, or any other cloth &c. from the said Overseers, or any of them, or will not suffer them to enter into any of the houses, shops, roomes, or other places, where any such clothes shall be, then euery such person or persons so denying or withstanding, shall for the first offence forfeit and loose x. li. and for the second offence xx. li. and for the third offence, being thereof lawfully convicted by verdict of iiii. men, and two sufficient witnesses, shall stand vpon the Pillory in the next Market towne: And if any of the said persons so commanded to appeare, to be made Overseers, as aforesaid, and hauing no reasonable excuse, refuse to come, and take vpon him or them to be Overseers as aforesaid, then euery such person so refusing, and hauing no reasonable excuse so to do, shall forfeit for euery such refusing v. li. the one halfe thereof to be to the Queene and her successors, and the other halfe to the Iustices of the peace, or other head officer or officers, by whose commaundement he was appointed to appeare to be Overseer, & the same Overseers so offending, to remaine in the ward of the Sherife, Bailife, or other head officer, vntil such time, as he hath made payment of the forfeiture, or otherwise put in sufficient bond for the satisfaction of the same. 39. Eliz. 20.

The overseers presenting the fault at the quarter sessions.

Withholding of faulty cloth or denying of search of the cloth.

The forfe.

Refusing to be Overseers.

I 22 And to the end that the said clothes, kerlies, dozens, cottons, penistones, Kighley whites and frizes, or any other clothes, by what name or names soeuer they be called, so to be viewed and searched, may be the better knowne: Therefore the said overseers shall fire vnto euery kind of the cloths aforesaid, a seale of lead containing the length & the weight of euery such clothes (together with this word, Searched) which cloth so sealed by the said Overseers, shall not be searched, tried, or viewed, by any other searcher or Overseer of any other citie, borough, towne, village, parish or hamlet, by vertue of his or their said office or offices, any thing in this act, or in any other statute to the contrary notwithstanding. 39. Eliz. 20.

The overseers shall fire a seale of lead to the cloth.

I 23 If any person or persons, but such as are appointed, assigned, and permitted by this Act, or their seruants, or deputies, do at any time counterfeit or set to, or willingly and wittingly take away from any the sayd clothes, kerlies, dozens, cottons, penistones, Kighley whites & frizes, or any other cloth, by what name or names soeuer they be called, made within the countie aforesaid, any of the seals so to be fired as aboue is recited, then euery person so offending, shall for the first offence, forfeit and lose x. li. and for the second offence, being thereof lawfully convicted by the verdict of

Setting seales to clothes or taking them away without warrant.

twelve

twelve men, and two sufficient witnesses, stand vpon the pilloze, and forf. to the D. her heires and successors xx. li. 39. Eliz. 20.

124 And to the end that the said Statutes and Lawes aforesaid may be the moze effectually executed, and all stretching and straining, and falsifying of any the clothes aforesaid taken away, euery Iustice of Peace, head Constable, or other the Duerseers aforesaid, shal haue ful power and lawfull authoricy to enter in, or vpon any the messuages, tenements, houses, buildings, lands or grounds of any person or persons whatsoeuer, to search for any such Centers, of what sort or kind soeuer, or any maner of ropes, rings, heads, winches, or other engins whatsoeuer, whereby any falshood or deceit may be vled in and about the stretching and strapping of any of the said Clothes, kerlies, dozens, frizes, cottons, penistones, kighlies, and whites or any other cloth &c. And if they should find any such centers of what sort or kind soeuer, or any maner of ropes, rings, heads, wrings, or engins, they shall and may vtterly deface the same, in such sort as they cannot be imploied againe to any such vse. And if any person or persons, with whom any such shall once haue bin found, shall after that, be knowen to haue or vse any such Center of what sort or kinde soeuer, or any maner of rope, ringe, head, wring, or engine, then they the said Iustices, head Constables, or Duerseers, or any of them within the seuerall pprecincts, shall take and sell the same to the best value thereof, and by the consent of two Iustices of peace, within the same Countie, dispose the money thereof comming, to the pooze of that Parithe where the same shall be so taken: and that vpon complaint made, or information giuen of any such Center, of what sort or kinde soeuer, or any maner of rope, head, ring, wrench, or wring, or any other engine, to any Iustice of peace, euery one of them to whom such complaint shall be made, or information giuen, shal within seven daies next ensuing such complaint or information giuen, repaire to the place, where the same shall be so had and vled, and then and there execute this Law, as aforesaid, vpon the paine hereafter in this present Act expressed: And if any person or persons, shall withstand, or resist any such Iustice of Peace or head Officers, in, or about, touching or concerning the execution of the premisses, euery such person or persons, shall forfait and suffer, as is befoze limited, for resisting the Duerseers in the search. 39. Eliz. 20.

Authority to search for Centers, ropes, winches &c.

The punishment of the second offence.

Resisting a Iustice of peace to execute his authority.

The forf. of a Iustice of peace for omitting his duty.

How the forf. shalbe deuident and imploied.

125 And if any the Iustices or Iustice of peace, within the limits or bounds of his or their Commission, shalbe negligent or make default in doing of any thing, touching or concerning the due or true execution of this statute, or any thing therein contained euery such Iustice of peace, for euery such default, shall forfait and lose v. li. And all such forfaictures as shal happen or grow by reason of this act, shalbe one third part thereof to such person or persons as shalbe then ouerseers, one other third part to the vse of the D. and other third part to thuse of the pooze, in such sort as the Iusti-

Justices of peace in their quarter Sessions to be holden next after iudgement, had or giuen for the same, shall limit & appoint. 39. Eliz. 20.

126 And the said Justices of peace in their quarter Sessions, shall and may enquire, heare and determine, euery fault or offence, made or done contrary to this present act, or any thing therein contained, except the offences committed, & forf. made by the Justices of peace, by presentment, bil, or information, & vpon prooffe thereof made by the testimony of two sufficient witnesses openly giuen to the Jury, & thereupon presentment made by the Jury to giue order for the execution of this statute, & euery clause therein contained, & for the recouery of the penalties aforesaid, to thuse aforesaid.

Justices of P.
shall enquire,
heare, & deter-
mine the offen-
ces.

And the Justices of Assises, shall and may enquire, heare & determine euery fault or offence made or done by any Justice of peace, contrary to this present act, in neglect of their duty, in, or about, touching or concerning the execution of this present act, & vpon prooffe thereof made by two sufficient witnesses, & by y presentmēt of the Jury, shal & may giue order for recouery & employment of the penalties & forfaitures by them committed & made, to thuses aforesaid: & for default of Justice to be done, in maner & forme aforesaid, by the Justices of P. or Justices of A. Then the one moiety to be the D. the other to the J. to be recouered by A. B. P. J. in any of her Ma. court or courts of record at West. in which no W. P. E. &c. 39. El. 20.

Justices of A.
shale enquire
heare & deter-
mine the offen-
ces of the Ju-
stices of peace.

127 Provided neuertheles, that all and euery kind of clothes aforesaid, by what name soeuer they be called, which shalbe made within the counties aforesaid, & brought vp to the citie of London to be sold there, shall be brought into the comon clothmarket place within the said City, comonly called Blackwelhal, to be there searched by, without wetting, & out of the market times, by the searchers of the said city, vpon paine that euery owner of any such cloth, shal forf. for euery such cloth not so brought into the market xl. s. & vpon paine that euery searcher that shall search at any time in the market times, to the disturbance of the sale of such cloths in the market there, shall forf. for euery such search so made v. li. all which said forf. shalbe the one moiety to the D. her heires & successors, the other to the J. to be recouered by A. J. wherein no W. P. E. &c. 39. Eliz. 20.

North & clothes
brought to
London to be
sold.

The foresaid statute of Ed. 6. repealeth al & euery article, clause, or sentence in any act of Parliament, therefore made, concerning making, dying, dressing, pressing, searching or sealing any of the kindes of Clothes, broad or narrow, white or coloured kerfies, frizes, rugges or cottons in the said act mentioned, and being repugnant and contrary to any article or sentence in the said statute. And the statute of 8. Eli. 12. repealeth all & euery branch, clause, sentence, and article specified and contained in any other acts of Parliament before that time made, concerning the sealing & making of Lankashire cottons, frizes, and rugges. And therefore consider diligently if any statute, article, branch, or sentence of any statute made before, either of the foresaid statutes, and in this treatise expressed, be by

the

Dying Diers.

the generall wordes of either of the said statutes repealed, as many other whole statutes and branches of statutes be, which here are omitted. But I suppose there is nothing repealed, which in this title of Drapery is contained, Attamen quære.

Quære.

Logwood and
Blockwood
shalbe burned.

1 That Aliens not being Denizens, shall make no Cloth, nor put any wooll to worke to make Cloth S. Aliens 1.

Dying Diers.

ALI Logwood, alias Blockwood, in whose hands soever the same shall be found, after the feast of Saint Michael the Archangel next ensuing, shalbe forfeited, and openly burned by the authozity of the Maior, or other head Officer of the Citie, or towne corporate, or of two Iustices of peace of the countie where it shalbe found. And no person shal dye or cause to be died any cloth, broad Clothes, Kerlies, Wools, Penistones, Baies, Cottons, Hosevarne, Hats, Caps, Flannels, Woodmalles, Hockadoes, Rashes, Buffins, Tustmockadowes, or any other thing whatsoever, with any of the said ware or stufte called Logwood alias blockwood, vpon paine that the Dier of euery such seuerall thing so died, shall forfeit the value of the thing so died, to the D. and J. to be recovered by A. B. P. J. &c. wherein no W. &c. E. P. &c. And the party offending being thereof convicted, shall remaine in prison without baile or mainprise, til he haue satisfied the same value. 23. Eliz. 9.

Mixing or
sing of Log-
wood with
woad or other
stufte.

2 If any person shalbe suspected to offend by cunning vsing or mixing of the said Logwood alias Blockwood, together with woad or other stufte, then any Iustice or Iustices of peace of the same Countie, where the said supposed offendor shal dwell, if he dwell out of a corporate towne or city, & if he dwell within any corporate towne or citie, then the Maior, Bailife, or other head Offieer being a Iustice of peace of such corporate towne or citie, where such supposed offendor shal dwell, vpon notice and Information to him or them giuen in that behalfe, shall by his or their warrant or other commandement, cause to come befoze him or them, the seruants and workmen of such supposed offendors, and other persons able to disclose the said deceit, and them to examine by their othe or otherwise, And if vpon the same examination they shall finde any person or persons, to haue vsed or caused to be vsed, in the dying or colouring of any Cloth, wool, varne, grogeraine, buffins or silke, or any thing made of wollen varne or silke, any Logwood alias Blockwood, or now, or heretofore reputed and taken for logwood alias blockwood, then the said Iustices or Iustice, Maior, Bailife, or other head officer, being a Iustice of peace, shal not onely bind with suertie al such person or persons, whom they shall find so suspected to haue offended, & such others as may discouer the same offence, to the next quarter Sessions or Gaole deliuery, which shall happen to be holden for the County, Citie, or towne corporate. But also to certifie al such examinations & depositiōs, as tend to the finding out or discouery of the said offences

at the said Gaole deliuey or quarter Sessions: And also if any such person so suspected to haue offended, vpon examination aforesaid, shall refuse to be bound as aforesaid, then the said person or persons so refusing, to be committed to the next gaole, there to remaine, til he, she, or they shal so become bound with suerties, And the said Iustices of Assise, or Iustices of peace, at such gaole deliuey or quarter Sessions, shall haue authozity, to indict and trie the offenders, by the vsuall course of indictments and trials in like cases, And after such conuiction to adiudge the said offenders to be set openly on the Pillorie, in the said Citie or market towne, where the same offence shalbe committed, And if it shall not be in any market towne, then in the next market Towne adioyning, in the same Countie, there to continue, by all the time of the market, one or moze daies by their discretion, for euery such offence: And further, euery such offender, beside his said corpozall punishment, shall forsaite for euery such offence, the summe of xx. li. to the Queene and A. which will sue for the same by action of debt B. P. A. in any Court of Recorde, wherein no E. P. A. or P. C. And the partie offending, being thereof conuicted, to remaine in prison without baile or mainprise, till he haue satisfied the same. 39. Eliz. 1.

3 No kind of Cloth or Clothes, kersies, Baies, Frizadoes broad or narrow, Hosen or other things being in the nature of Cloth, shall from henceforth be mathered for a blacke, except the same be first grounded with woad onely, or with woad & nele, alias blew Inde, vnlesse the Dadder be put in with Shomack, or Gallis. And no person shal die or cause to be died any Cloth or Clothes, or other things abouesaid, of what kinde or nature soeuer, mathered for a black, not hauing a ground of Woad onely, or of Woad and Nele, alias blew Inde, vnles the Dadder be put in with Shomacke, or Gallis, vpon paine that the Dier of euery such seuerall thing so died, shall forsaite the value of the same thing so died, to the Queene, & him that will sue for the same by A. B. P. or in any court of Record, in which suite no E. P. A. nor writ of priuiledge shall be allowed. And the partie offending, being thereof conuicted, shall remaine in prison without baile or mainprise, till he haue satisfied the same value. Prouided alwaies that it shall and may be lawfull to die all maner of gale black, shomack blacke, alias plaine blacke, wherein no Dather shalbe vled, as heretofore lawfully hath bin done, this Act &c. notwithstanding. 23. Eliz. 9.

No cloth shal be coloured for black, except it be first grounded with woad.

Gall blacke and shomacke black excepted.

4 Euery Dyer, that shall die any of the said blacke Clothes, Kersies, or Frizeadowes, mathered and not woaded, shall befoze he deliuer any of the same forth of his hands, fixe a seale of lead to euery of them, in which the letter M. signifying mathered, shall bee contained, vpon paine that euery Dyer offending to the contrary, shall forsaite for euery yard of the said Cloth, Kersies, Baies, or Frizeadowes, iii. s. iiii. d. And if any person shall sell any Cloth, Kersies, Baies or Frizeadowes, mathered & not woaded, and shall not first giue notice to the buyer thereof, that the same is not woaded,

A seale of lead with the letter. M

Durham. Eares. Ecclesiasticall persons, and livings.

woaded, shal forsaite also the double value of all such Cloth, Kersties, Baies and Frizadoes, as he shall so sell, which forsaitures shal be to the party that shal sue for the same in any court of Record by A. B. P. or J. wherein no E. W. &c. 23. Eliz. 9.

1 In what maner wollen Cloth died, shall be vsed in the dying. See Drapery 71.

2 That none that vse the dying of Sayes, Worstedes, or Stamels, shall callender them. S. Worstedes 3.

Durham.

THe force of fines leuied before the Iustices of Assise at Durham, of lands lying within the Countie Palantine of Durham. S. Fines 12.

2 The force of inrolment of the bargain and sale of any landes lying within the Bishoprick of Durham, S. Inrolments 4.

3 For Proclamations vpon Exigents awarded against any, dwelling within the Bishopricke of Durham, S. Exigent &c. 15. 16. 17. 18. 19. 20.

Eares.

Cutting off
eares

Whosoeuer shal maliciously, unlawfully, & willingly cut, or cause to be cut off the eare or eares of any of y^e Queenes subiects, otherwise then by authority of law, chance medley, sudden affray, or aduenture, shall forfeit to the P. griued treble damages, to be recovered by A. of trespassse, & to the Queene for a fine x. li. 37. H. 8. 6.

Ecclesiasticall persons, and livings.

Maintaining
doctrine a-
gainst the ar-
ticles.

If any person Ecclesiasticall, or hauing Ecclesiasticall living, shall aduisedly maintaine any doctrine directly contrary to any of the Articles comprised in a booke intituled (Articles &c. touching true religion) & being commented before the Bishop, Ordinarie, or the Queenes Commissioners in causes Ecclesiasticall, shall persist therein, & not renoue his error, or after such reuocation, shall eftsoones affirme such doctrine, such maintaining or affirming, and persisting, or such eftsoones affirming, shall be a lawfull cause, to depriue such person of his Ecclesiasticall promotions. And it shalbe lawfull to the Bishop of the Dioces, or Ordinary, or the said Commissioners, to depriue such persons so persisting, or lawfully convicted of such eftsoones affirming. And vpon sentence of deprivation pronounced, he shalbe in deed depriued, 13. Eliz. 12.

The age of a
beneficed per-
son, and he shal
reade and sub-
scribethe arti-
cles.

2 No person shalbe admitted to any Benefice with cure, except he then be of the age of xxiij. yeres at the least, and a Deacon, and shall first haue subscribed the said articles &c. in the presence of the Ordinary, and publiklie read the same in the parish Church of that benefice, with declaration of his vnfained assent to the same. And if any person to bee admitted to a benefice with cure, doe not within two moneths after his induction publiklie read the said articles, in the Church whereof he shall haue cure, in the time of Common praier there, with declaration of his vnfained assent thereunto, and be admitted to minister the Sacraments within one yere after

after his induction, (If he be not so admitted before) he shall be immediately upon every such default (ipso facto) deprived, And no person now permitted by any dispensation or otherwise shall retaine any benefice with cure, being under the age of xxi. yerres or not Deacon at the least, or which shall not be admitted as is aforesaid, within one yere next after the making of this Act, or within sixe moneths after he shall accomplish the age of xxiii. yerres, on paine that such his dispensation shall be meereley voide, 13. Eliz. 12.

3 None shall be made Minister, or admitted to preach or minister the Sacraments, being under the age of xxiii. yerres, nor vnles he first bring to the Bishop of that dioces (from men knowen to the Bishop to be of sound religion) a Testimonial both of his honest life, & of his professing the doctrine expressed in the said articles, nor vnles he be able to answer & render to the Ordinary, an account of his faith in Latin according to the said articles, or haue a special gift & abilitie to be a Preacher: Nor shall be admitted to the order of a Deacon, or ministerie, vnles he shall first subscribe to the said articles, 13. Eliz. 12. For the examination of the abilitie of a person presented to an Ecclesiasticall benefice, doth pertain to an Ecclesiasticall Judge. And so it hath bin heretofore vsed and shall be in time to come Articuli cleri. An. nono Edw. 2. 13.

The minister
age and histo-
monial.

Examination
of a persons
abilitie.

4 None shall be admitted to any Benefice with cure, of or aboue the value of thirtie pounds yerely in the Queenes bookes, vnles he shall then be a Bachelor of Diuinity, or preacher lawfully allowed by some Bishop within this realme, or by one of the Uniuersities of Cambridge or Oxford 13. Eliz. 12.

Benefice of the
value of xxx. li.

5 All admissions to benefices, institutions, and inductions to be made of any person contrarie to the forme, or any prouision of this Act, and all tollerations, dispensations, qualifications and licences whatsoever to be made to the contrary hereof, shall be meereley void in Law, as if they neuer were. Prouided alwaies, that no title to conferre or present by Lapse, shall accrue vpon any deprivation ipso facto, but after sixe moneths after notice of such deprivation giuen by the Ordinary to the patron, 13. Eliz. 12.

No Lapse but
after notice.

6 All gifts, graunts, feoffements, fines, and other conueiances or estates, from the first day of the Parliament begun, 24. Januar. An. Domini 1558. had, made, done or suffered, or to be had, made, &c. by any Archbishop, or Bishop, of any honors, castles, manors, lands, tenements, or other hereditaments, being parcell of the possession of his Archbishopricke or Bishopricke, or vniued appertaining, or belonging to any of the same, to any person (other then to the Queene, her heires or successors) whereby any estate should or might passe from the Archbishop or Bishop, other then for terme of twentie one yerres, or thre liues, from such time as any leaie, grant, or assurance shall begin, and whereupon the olde accustomed yerely,

Leases & other
assurances of
bishops lands.

Ecclesiasticall persons, and livings.

perely rent, or more, shall be reserved payable perely, during the said terme of xxi. yerres or three liues, shall be utterly void, any law, custome &c. notwithstanding, 1. Eliz. a statute not printed.

Assurances
made by Col-
ledges, Cathe-
dral Churches,
Parlons &c.

7 All leases, gifts, graunts, feoffements, conueiances or estates to be made, had, done, or suffered, (viz. from 2. Aprilis An. Dom. 1571.) by any Master and Fellowes of any Colledge, Deane and Chapter of any Collegiat or Cathedral Church, Master or Gardein of any Hospital, Parson, Vicar, or any other, hauing any Spirituall or Ecclesiasticall liuing of any houses, lands, tithes, tenements, or other hereditaments, being parcell of the possessions of any such colledge &c. or any way belonging to the same, or of any of them to any person &c. bodies politique or corporat, other then for the terme of xxi. yerres, or three liues, from the time of such lease or grant made, whereupon the accustomed perely rent or more shall be reserved, and perely payable during the said terme, or whereof any former lease for yerres is in being not to be expired, surrendered, or ended within three yerres next after the making of any such new lease, shall be utterly void, 13. El. 10. 18. El. 10. And euery band & couenant whatsoever made for renewing or making of any lease, contrary to the true intent aforesaid, shall be utterly void 18. Eliz. 10. But this Act shall not be construed to make good any lease or other grant made by any Colledge or Collegiat Church within Oxford and Cambridge, or elsewhere, for more yerres then are limited by the private statutes of the same Colledge. Neither shall this Act extend to any lease hereafter to be made, vpon surrender of any lease heretofore made, or by reason of any couenant or condition contained in any lease heretofore made, & now continuing, so that the lease to be made, do not containe more yerres, then the residue of the yerres of the former lease now continuing, shalbe at the time of such lease hereafter to be made, nor any lesse rent then is reserved in the said former lease, 13. El. 10. And the President and Schollers of Saint Iohn Baptists Colledge founded by Sir Thomas White Knight, Alderman of London, in the Uniuersity of Oxford, may from time to time demise the manor of the Fishide, alias Fishfield, the Copiholdes and other appurtenances in the Countie of Bark. to Ralph White, brother to the said Sir Thomas white, for the terme of foure scoze & nineteene yerres, if the said Ralphe shall so long liue, and so to euery heire male of the said Sir Thomas successiuelly according to the forme of a lease thereof already made to the said Ralphe. And euery such lease so to be made, and euery couenant made or to be made for the performance of the same shall be good in Law, as if the said Act made in the said thirteene yere had neuer bin made, any thing in the said Act of 13. Eliz. or any other Act or matter &c. notwithstanding, 18. Eliz. 10. See 14. El. that it was enacted in a statute not printed, that these wordes (viz. Master or Gardian of any hospitall mentioned in the former Act of 13. El.) were intended and meant of all Hospitals, Measons de dieu, bead houses, and other

Colledges in
Oxford and
Cambridge.

New leases
vpon surrender
of old & former
couenants.

Certain words
expounded.

other houses ordeined for the sustentation or reliefe of the pooze, and so shal be expounded and taken for ever.

8 But any of the persons, bodies politique or corporat aforesaid, may graunt, assure, or lease any houses belonging vnto them, being not their Capitall or dwelling house vled for their habitation, nor hauing ground belonging vnto them, aboue the quantitie of ten acres, or any grounds to such houses appertaining, which be situate in any citie, borough, towne corporat, or Market towne, or the Suburbes of any of them, in such sort as by the Lawes of the Realme, and the seuerall Statutes of their houses they may doe: So that no lease be made in reuerſion, nor without reseruing the accustomed yeerely rent at the least, nor without charging the lessee with the reparations, nor for longer time then xl. yeeres at the most: Nor any houses of the said Colledges, bodies politique, &c. shall be aliened, vnlesse that in recompence thereof, there shall be before, with, or presently after such alienation, good, lawfull, and sufficient assurance made absolutely in fee simple, to such Colledges &c. and their successors, of lands of as good value, and as great yeerely rent at the least, as so shal be aliened, 14. Eliz. 11. 27. Eliz. 11. 39. Eliz. 18. to endure vntill the end of the next Parliament.

Colledges &c. may let certain lands for xl. yeeres.

Colledges may not alien their lands, except they haue sufficient & present recompence.

9 No lease made of any Benefice, or Ecclesiasticall living with cure, or any part thereof, and not being impropried, shall endure any longer, then while the lessour shall be ordinarily resident and seruing the cure of such Benefice without absence aboue fower score dayes in any one yeere: But euery such lease immediatly vpon such absence shall cease and be void, and the Incumbent so offending, shall for the same loose one yeeres profit of his said Benefice, to be distributed by the Ordinarie amongst the pooze of the parish, 13. Eliz. 20. And after complaint made to the Ordinarie, and sentence giuen vpon any offence committed by the Incumbent, whereby he shall, or ought to loose one yeeres profit of his benefice, the Ordinarie within two monethes after such sentence giuen, & request to him made by the Churchwardens of the same Parish, or one of them, shall graunt the Sequestration of such profits to such inhabitant or inhabitants within the parish where such benefice shall be, as to him shall seeme meete, and vpon default therein by the Ordinarie, it shall be lawfull to euery Parishioner where the benefice is, to reteine his Tithes, and likewise for the Churchwardens of the said Parish to enter and take the profits of the glebe lands, and other rents and duties of euery such benefice to be imployed to the vse of the pooze as aforesaid, vntill Sequestration shall be committed by the Ordinarie, and then aswell the Churchwardens as Parishioners shall yeeld accompt of, and make payment to him or them, to whom such Sequestration shall be committed. And he or they, to whom such Sequestration shall be committed, from time to time shall iustly and truely bestow the said profits, or the iust value thereof

Leases of Benefices with cure.

Sequestration graunted by the Ordinarie.

Parishioners may reteine their tithes,

Ecclesiasticall persons, and liuings.

without fraude, to such vses as by the said statute is appointed, vpon paine of forfeiture of the double value of such withholden profitcs, to be recouered in Ecclesiasticall Court, by the pooze of the said Parish.
18. Eliz. 10.

**Bands, con-
tracts, &c. for
the enioying
of Benefices.**

10 All bands, contracts, promises, and couenants made for suffering any person to enioy any Benefice or Ecclesiasticall promotion with cure, or to take profitcs or fruits thereof (other then such bands and couenants as shal be made for assurance of any lease heretofore, viz. before the statute made) shall be to all intents adiudged of such force and no other wise, as leases made by the same persons of such Ecclesiasticall promotions with cure, 14. Eliz. 11. 39. Eliz. 18.

**Demise of a
benefice to a
Curate.**

11 Euery person allowed by the Lawes of this Realme, to haue two Benefices, may demise one of them, vpon which he shall not be ordinarily resident, to his Curate, which shal serue the cure for him: which lease shal endure no longer then during such Curates residence, without absence aboue xl. daies in any one yeere. 13. Eliz. 20. 39. Eliz. 18.

**Bands, con-
tracts, &c.
made by a
Curate.**

12 All leases, bands, promises, and couenants, of, and concerning Benefices, and Ecclesiasticall liuings with cure, to be made by any Curate, shall be of no other, nor better force, validitie, or continuance, then if the same had bin made by the beneficed person himselfe, that demised the same to his Curate. 14. Eliz. 11. 39. Eliz. 18.

**Charging of
benefices.**

13 All chargings of Benefices with cure, with any pension, or with any profit out of the same, to be yeelded or taken, (other then rents reserved vpon leases to be made according to the meaning of this Act) shall be void, 13. Eliz. 20. 39. Eliz. 18. to continue to the end of the next Parliament now next ensuing.

**Taking of
farmes.**

14 No spirituall person shall take to farme to himselfe, or to any person to his vse, of the lease or graunt of the Queene, or any other person or persons, by letters Patents, Indentures, Writings; by word or otherwise, by any maner of meanes, any manors, lands, tenements, or other hereditaments for terme of life, yeeres, or at will, vpon paine to forfeit for euery moneth that he, or other to his vse, do occupie such farme by reason of any such graunt or lease x. li. to the D. and J. to be recouered by A. B. P. J. wherein no A. C. P. &c. except the Temporalities of an Archbishopsicke, Bishopsicke, or Collegiall, Cathedrall, or Conuencuall Church, & lands to be letten vpon a Trauers tendred after an office found concerning his freehold, and a dwelling house hauing but onely orchardes and gardens, in any citie, borough, or towne, for his owne habitation, all which, a Spirituall person may take to farme (but by the said dwelling house he shall haue no colour of Non residence,) And also except Prestidents, and Masters of Colledges, hauing lands, or other yeerely profits in the right of their houses, vnder, and not aboue eight hundred markes, which may occupie as much of their demeane lands, see farmes, & farmes,

to their most profit, for the onely maintenance of their householdes, as they or any of their predecessors at any time by the space of an hundredth yeeres before the making of this Act might haue done. And all Spirituall persons hauing lands or other possessions in the right of their houses, aboue the peerely value of eight hundred marks, may keepe, and retaine in their occupation and manurance, as much of their said lands and other possessions, as shall be necessarie and sufficient for pasturage of their cattell, & for tillage of cozne, to be imployed and spent for the onely maintenance and keeping of their householdes and hospitalities without fraud or couin. 21. H. 8. 13. Whether a lease made to a Spiritual person, or to any other to his vse for terme of life, yeeres, or at will, of any lands &c. whereof he taketh the profit &c. be void by this statute or not, See Statute, & Quære. Quære. Vide Dyer Fol. 358. that the lease is not void.

15 If any spirituall person do by himselfe, or any other for him to his vse, bargain and buy to sell againe for gaine, in any Markets, faires, or other places, any maner of Cattell, Cozne, Lead, Tinne, Hides, Leather, Tallow, fish, Wooll, Wood, or any maner of vitaille, or marchandise, of what kind soeuer they be, he shall forfait the treble value of the things so bought to sell againe, to the D. and J. to be recouered by A. B. P. J. &c. wherein no T. E. P. &c. And also the said bargain and contract shall be vterly void. But a spirituall person which without fraud buyeth any Horses, Cattells, Goods, &c. with onely intent at the buying thereof to imploy the same to the necessarie apparell of himselfe, his seruants, or house, or for the onely occupying, or manuring of his glebe or demesne landes annexed to his Church, or for the necessarie expences of his household, and after the buying, or exercising therof, mislike the same, that they should not be good, profitable, & conuenient for any of the purposes abouesaid, for which they were bought, then he may lawfully bargain, & put them away. And also other spiritual persons not hauing sufficient glebe or demesne lands in their owne handes, in the right of their Churches, Houses, &c. for pasturing of Cattell, or for increase of Cozne, for the onely expences of their households, or for their carriages and iourneys, may take in farme other lands, and buy and sell Cozne and Cattell for the onely manurance, tillage, & pasturage of such farmes, so that the increase thereof be alwaies imployed for the onely expences in their households, and not to buy and sell againe for any other commoditie, but onely the ouerplus of such cozne and cattell aboue the expences of their households, if any such shall happen to be bredde and increased thereof without fraude or couin. 21. H. 8. 13.

Buying & selling

In what cases spirituall persons may take lands in farme.

16 If any spirituall person beneficed with cure, do occupie by himselfe, or any other to his vse, any Parsonage or Vicarage in farme of the lease or graunt of any other person, or take any profit or rent out of such farme, he shall forfait xl. s. for euery weeke, that he, or any to his vse shall occupie

A spirituall person shal not occupie a parsonage or vicarage in farme.

Ecclesiasticall persons, and liuings.

occupie any such farme. And also shall forfeit ten times the value of such profit or rent which he shall take out of any such farme, to the Queene and Informer, to be recovered by A. J. &c. wherein no M. C. P. &c. 21. H. 8. 13.

A spirituall person shall not keepe a Tanne house or Brewhouse.

17 If any Spirituall person shall haue, vse, or keepe by himselfe or any other to his vse or commoditie any Tanne house to be occupied to his vse or commoditie, or any Bue house, to any other intent then onely to be spent and occupied in his owne house, he shall forfeit for euery moneth so vsing or occupying any of the said mysteries x. li. to the Q. and J. to be recovered by A. J. &c. wherein no M. C. P. &c. 21. H. 8. 13.

Pluralities.

18 If any person hauing one Benefice with cure of soule, being of the peerele value of viii. li. or aboue, doth accept an other with cure of soule, and be instituted and inducted in possession of the same, then immediately after such possession had thereof, the first benefice shall be adiudged in the law to be void. And euery Patron hauing the aduowson thereof, may present an other, and the presentee shall haue the benefit of the same, as though the Incumbent had died, or resigned. But no Deanry, Archdeaconry, Chauncelozship, Treasozership, Chauntership, or Prebend in any Cathedrall or Collegiat Church, nor Parsonage that hath a Vicar endowed, nor any benefice perpetually appropriat, shal be taken vnder the name of a benefice with cure of soule. 21. H. 8. 13.

Which shall not be said benefices with cure of soule.

These may haue pluralities by their seruice.

19 But all Spirituall men of the Queenes Counsell may purchase licence or dispensation, and take, receiue, and keepe thre Parsonages or Benefices with cure of soule. And all other Spirituall men not swozne of her Councell, which be Chapleines to the King or Queene, Prince, Princessse, or to any of the Kings Children, Brethren, Sisters, Uncles, or Aunts, may purchase licence or dispensation, and receiue, & keepe two benefices with cure of soule. And euery Archbishop may haue eight Chapleines, euery other Bishop six, euery Duke vi, euery Marques & Earle five, euery Viscount iiii, the Chaunceloz of England thre, euery Baron and Knight of the Garter thre: Euery Duchesse, Marquesse, Countesse, Baronnesse (being widowes, or which haue taken any husband vnder the degree of a Baron) two: The Treasozer & Comptroller of the Queenes house two, the Queenes Secretarie two, the Deane of the Queenes Chappell two, the Queenes Amner two, the Master of the Rolles two, the chiefe Iustice of the Kings Bench one, the Warden of the 6. Ports one Chapleine, euery of which Chapleines may purchase licence, and receiue, haue, & keepe two Parsonages or Benefices with cure of soule. But the Chapleines so purchasing, receyuing, & keeping Benefices with cure of soule, be bound to haue, & exhibite where neede shal be, letters vnder the signe & seale of the Queene, & other their Lord & Master, testifying whole Chapleines they be, or else not to enioy any such pluralitie of Benefices, And if any person to whom any Chapleines be limited by this

Exhibiting letters vnder their Lords seales.

Admanning more Chapleines then is allowed.

Act,

Act, shall by colour thereof, aduance any spiritual person, aboue the number to him appointed, to receiue any moe benefices with cure of soule, then is before limited, then the spirituall person so aduanced aboue the said number, shall incurre the penaltie contained in this Act, 21. H. 8. 13.

20 Euery brother, or sonne of any temporall Lord bozne in wedlocke, may purchase licence, or dispensation, & receiue, haue, & keepe as many benefices with cure, as the Chapleines of a Duke, or Archbishop: And euery brother and sonne of a Knight bozne in wedlocke, and euery Doctor and Bachelor of Diuinitie, Doctor and Bachelor of law Canon, which be admitted to the said degrees by any of the Uniuersities of this Realm, & not by grace onely, may purchase licence, & take &c. two benefices with cure of soule, 21. H. 8. 13. And all Suffragans which shall exercise the said office of Suffragans by commission of the Bishop, may haue two benefices with cure, 26. H. 8. 14. 1. Eliz. 1. But the said libertie giuen to any of the persons aforesaid to purchase licence, or dispensation, and receiue & keepe moe benefices then one, shall be vnderstanded, to extend in number to no moe benefices with cure of soule then is aboue limited, Sauing that the Q. may giue to any of her Chapleines being spiritual persons, what number of benefices or promotions spiritual she will. And also she may graunt licence to any of them for Non residence, and the said Chapleines may accept the same, without incurring any penaltie, 21. H. 8. 13.

Muralities
by birth or
degree.

Suffragans.

Queenes Cha-
pleines.

21 Euery spirituall person promoted to any Archdeaconrie, Deaurie, or dignitie in any Cathedrall church, or other church conuentuall, or Collegiall, or being beneficed with any Parsonage, or Vicarage, shall be personally resident & abiding, in, at, and vpon his said dignitie, Prebend, or Benefice, or at one of them at the least. And if any such spirituall person do not keepe residence at one of his said dignities, prebend, or benefice, but absent himselfe wilfully by the space of one moneth together, or by the space of two monethes, to be accompted at seuerall times in any one yeere, and make his residence and abiding in any other places by such time, then he shall forfeit for euery such default x. li. to the Q. and li. to be recovered by A. B. C. &c. wherein no W. C. P. &c. 21. H. 8. 13.

Residence.

22 The statute of Non residence shall not extend, nor be prejudiciall to any spirituall person being in the Queenes seruice beyond the Sea, nor to any person going to any pilgrimage, or holy place beyond the Sea, during the time of their seruice and pilgrimage, and going and returning home, nor to any Scholler vnder the age of xl. yeeres being conuersant & abiding for studie, (without fraude) at any Uniuersitie within this realm or without, 21. H. 8. 13. So that the said scholer be present at the ordinary lecture, aswel at home in their houses, as in the common schooles, & in his proper person keepe Sophismes, problemes, disputations, or other exercises of learning and be opponent, and respondent in the same, according to the ordinances and statutes of the Uniuersities where &c. Nor to

Who may be
discharged of
residence, & by
what meanes.

Ecclesiasticall persons, and liuings.

any Scholler, of, or aboue the age of xl. yeeres, being conuerfant in any of the said Uniuerſities, which is Chauncelloꝝ, Vice Chauncelloꝝ, or Commiſſarie of any of the ſaid vniuerſities, or Warden, Deane, Prouoſt, Preſident, Rector, Maſter, Principall, or other head ruler of a Colledge, Hall, &c. or Doctoꝝ of the Chaire, or Reader of Diuinitie in the common Scholes, or Reader of any common lecture in Diuinitie, law Ciuil, Phyſicke, Philoſophie, Humanitie, or any of the liberal Sciences, or common Interpreter, or teacher of the Hebrew, Chaldee, or Greeke tongue in any Colledge, or other place of the ſaid Uniuerſities: Noꝝ to any perſon aboue the age of xl. yeeres, which ſhall reſoꝛt to any of the ſaid Uniuerſities to proceede Doctoꝝ in Diuinitie, law Ciuil, or Phyſicke, foꝝ the time of his proceeding & executing of ſuch Sermons, Diſputations, and Lectures, which by the ſtatute of the Uniuerſitie he is bound vnto foꝝ the ſaid degree, 28. H. 8. 13. Neither ſhal this Statute extend to any Chapleines of the King, Queene, Prince, Princeſſe, King or Queenes childꝛen, Brethren, or Siſterne: Noꝝ to any Chapleine of any Archbiſhop, Biſhop, ſpiritual or temporal Lord of the Parliament, Duchelle, Marqueſſe, Counteſſe, Vicounteſſe, Baronneſſe (being widowes, or married againe &c) Lord Chauncelour, or Treasourer of England, the D. Chamberlaine, or Steward of her houſhold, or of the Treasourer or Comptroller of the Queens houſe: Noꝝ to any Chapleine of any Knight of the Garter, chiefe Juſtice of the Kings Bench, Warden of the ſine Portes, Maſter of the Rolles, the Queenes Secretarie, Deane of the Queenes Chappell, or of the D. Amner, attending daily in the houſhold of the ſoreſaid perſons, during the time that any ſuch Chapleine ſhall abide and dwell in any of the ſaid houſholdes, 21. H. 8. 13. Neither ſhall this Statute of Non reſidence be prejudiciall to any one Chapleine of any of the Judges of the Kings Bench, or of the Common pleas, of the Chauncelour, or chiefe Baron of the Eſchequer, of the Queenes Atturney, or generall Soliciter, but euery of them may haue one Chapleine in his houſe, or attendant on his perſon, hauing one benefice with cure of ſoules, which may be abſent and not reſident, 25. H. 8. 16. Neither doth this Statute extend to any one Chapleine of the Chauncelour of the Duchy of Lancaſter, or of the Maſter of the Queenes Wardes and Liueries, or of the Treasourer of the Queenes Chamber, or of the Groome of the ſtoole: Euery of which may retaine ſingularly in his houſe, or attendant vnto his perſon one Chaplein hauing one benefice with cure of ſoule, which may be abſent from his benefice & non reſident, 33. H. 8. 28. Neither ſhall this Statute of Non reſidence be prejudiciall to the Maſter of the Rolles, or Deane of the Arches, noꝝ to any Chauncelloꝝ or Commiſſarie of any Archbiſhop, or Biſhop, noꝝ to as many of the twelue Maſters of the Chauncerie, & twelue Aduocates of the Arches as be ſpiritual men, during the time they ſhall occupy their roomes: Noꝝ to any Spirituall perſon, which ſhall by Iniunction of the

Lord Chaunceloz, or Queenes Counsell be bound to daily apparance, to aunswere the law, during the time of such iniunction, 21. H. 8. 13. And the residence of him which shall be Suffragan ouer the Dioces, where he shall haue commission, shall serue him for his residence as sufficiently, as if he were resident vpon any other his benefice, 26. H. 8. 14. 1. Eliz. 1.

23 If any Chapleine of the Chaunceloz of the Duchie of Lancaster, of the Master of the Wardes and Liueries, of the Treasourer of the Queenes chamber, or of the Groome of the stoole, which is licenced to be absent and not resident vpon his benefice, doth not repaire two times in euery yeere at the least to his benefice & cure, and there tarie eight dayes at the least at euery time, to visite & instruct his cure, he shall forfeit xl. s. for euery time so fayling, to the Queene & Infozmer, to be recouered by A. J. &c. wherein no W. E. P. &c. 33. H. 8. 28.

These Chap-
leines must
sometimes re-
sort to their
Cure.

24 If any person being elected, perfected, presented, nominated, collated, or appointed to any Archbishopricke, Bishopricke, Colledge, Hospitall, Archdeaconrie, Deanrie, Monastship, Prebend, Parsonage, (exceeding the yeerely value of x. markes, after the value vpon the records and bookes of rates and values, for the first fruites and tenthes remayning in the Eschequer) Vicarage (exceeding the yeerely value of x. pound after the same rate) or other dignitie, benefice, office, or promotion spirituall within any of the Queenes dominions, (the Deane and Canons of the Chappel of Saint George within the Castle of Windsor, and all the possessions & hereditaments of the same Chappel, the Uniuersities of Cambridge and Oxford, and certain Colledges and Halls therein, and the Colledges of Eaton & Winchester except) doth not before the actuall or reall possession, or medling with the profits thereof, satisfie, content, and pay, or compound, or agree to pay to the Queenes vse, at reasonable daies vpon good suerties, the first fruites, reuenues, and profits for one yeere of the said dignitie or promotion spirituall (which yeere shall begin and be accounted immediatly after the vacation or auoydance of the said promotion, 28. H. 8. 11.) and is thereof conuict, by presentment, verdict, confession, or witnesses, before such as haue authoritie to compound for the said first fruites, he shall be taken an Intruder vpon the Queenes possession, and he, his executors or administrators shall pay to the Queenes vse, for euery such offence, so much money as shall amount to the double value of the first fruites of the spirituall promotion for one yeere, wherein he shall enter and intrude before the payment of the said first fruites, or agreement for the same, 26. H. 8. 3. 1. Eliz. 4.

First fruites.

25 All writings obligatorie, taken for the payment of the said first fruites by any person deputed to compound for the same, be of the same strength, qualitie, & effect, to all intents, as writings obligatorie made by any lay person by authority of the Statut Staple bin, And no person shall be compelled to pay for any writing obligatorie to be made, for the payment

Obligations
for first fruits
in the nature
and strength
of a statute.

The fees.

of the said first fruits, aboue viii. s. nor for any acquittance for the receipt thereof, aboue iiii. s. 26. H. 8. 3.

The tenths
shalbe deduc-
ted forth of the
first fruites.

26 But every person named, presented, or by any meanes appointed to any dignitie or promotion spirituall, shall at his composition & entrie into specialitie for the payment of his first fruits, haue allowance, & deduction of the tenth part of the whole, out of the summe to be paid for the said first fruits, for the yeere wherein he shall be first nominated, presented, or by any other meanes appointed to any such dignitie or promotion spirituall, according to the iust rate & taxation of the tenth of every such promotion spirituall. And then he shall pay vnto the Queenes Maiestie, her heires & successors the said tenth part the said first yeere. 27. H. 8. 8.

The rate how
by death or e-
uiction the in-
cumbent shall
be discharged
of the first
fruits, or part
thereof.

27 If any Incumbent of any spirituall promotion chargeable to pay the first fruits, doth liue to the end of one halfe yeere next after the last auoidance of the said promotion, so as he hath, or without couin might lawfully haue receiued or enioyed the rents or profits of that halfe yeere, and before the end of the other halfe yeere then next following doth die, or is lawfully euicted, remoued, or put from the said promotion spirituall, by iudgement in an action at the common Law without fraud or couin, then he, his heires, executors, administrators, & suerties, shall be charged but onely with the fourth part of the first fruites due to be paid for his said promotion, & with no more of the said first fruites: any thing in this Act, any band or writing, or other matter notwithstanding &c. If the Incumbent liue by the space of one whole yeere next after the last auoydance of the said promotion spirituall, & then before the end of one halfe yeere then next after shall fortune to die, or be lawfully euicted, remoued, &c. then he, his executors, or &c. shall be charged but onely with the moitie of the first fruits, &c. and with no more. If the Incumbent liue to the end of one whole yeere and a halfe next after the last auoydance, &c. and then before the end of sixe monethes then next following shall fortune to die, or be lawfully euicted, &c. Then he, or &c. shall be charged but onely with thre partes of the first fruites of the same promotion spirituall in fower to be deuided, and with no more. If the Incumbent doth liue to the ende of two whole yeeres next after the last auoydance of the same his promotion spirituall, and not be lawfully euicted, remoued, or put from the same &c. then he, his heires, executors, administrators, and suerties shal be charged with the whole first fruites, 1. Eliz. 4.

Tenths.

28 Euery Archbishop, Bishop, Archdeacon, Deacon, Prebendarie, Parson, Vicar, and other hauing any benefice or promotion spirituall, in England, or Wales, shall yeerely pay to the Q. Maiestie, her heires and successors, at the feast of the Natinitie of our Lord, one yeerely rent or pension, amounting to the value of the tenth part of all the reuenues, rents, farmes, tithes, offeringes, and emoluments, and all other profits, aswell spirituall as temporall, belonging to any of the said dignities or promo-

promotions, (which tenth euerie of them shalbe charged to pay in the proper Dioces where they be, wheresoeuer their possessions and profits do lye) And which tenth euery Archbishop and Bishop is charged to leuie, collect, and receiue within his proper Dioces, aswell in places exempt, as not exempt, and they, their executors and administrators, and the possessions of their Churches shall stand charged for the payment of such summes as they shall collect. And when any See is void, then the Deane and Chapter of the Cathedral Church where &c. their executors, administrators and possessions shalbe charged for the execution of this Act, within the said Dioces. But this Act doth not charge anie hospitall founded and vlsed, and the possessions thereof imploied to and for the reliefe of the poore, or anie schoole, or the possessions of them with the payment of anie tenths, or first fruits, 26. H. 8. 3. 1. Eliz. 4.

The Bishops
Collectors of
tenths.

Hospitall.
Schoole.

29 If anie summe of money being once due, by anie Incumbent, of anie dignitie, benefice or promotion spirituall, charged to the payment of the said tenths, be reasonable demaunded after the feast of the Natiuitie of our Lord God, at his dignitie or Church, by the Archbishop, Bishop, or such as shalbe charged with the collection of anie part of the said pension, or by any of their ministers, seruants or officers, And the said Incumbent both not content and pay the same vnto the said Archbishop, Bishop, or other ministers, euerie yeere yerelie at the request thereof, or else within fortie daies after at the furthest: Then euerie Incumbent making such default, after the default certified into the Queenes Eschequer in writing vnder the seales of the Archbishop, Bishop, or such as be charged with the collection of the said tenth, shal be adiudged depriued (Ipso facto) of that dignitie or benefice onlie, whereof such certificat shall be made, 26. H. 8. 3. 2. Ed. 6. 20. And the said Archbishop or Bishop making such certificat, (before or at the last day of May, 7. Ed. 6. 4.) shalbe discharged against the Q. for such summe of money as the said incumbent should haue paid, 26. H. 8. 3. And also the said Archbishops, Bishops, and anie of their deputies, and other accomptants authorisid to accompt for them, vpon their accompts of and for the said yerely tenth, shalbe discharged vpon their othes, of payment of such summes of money of the said annuall rent or tenth as they cannot lawfully leuie, 32. H. 8. 22. See Eschequer. 2. That nothing shalbe taken of anie person hauing charge with the collection of tenth for his accompt or Quietus est.

The penaltie
for default of
payment of the
tenths.

30 If anie Bishop, Archdeacon, Ordinarie, or other person to his vse, do receiue or take the fruites, tithes, oblations, commodities, reuenues, rents, profits, or casualties, comming, or growing, or belonging to any Archdeaconrie, Deanery, Prebend, Parsonage, Vicarage, Wardenship, Prouostship, or other spiritual promotion, benefice, dignitie, or office, during the vacation of the same, and vpon reasonable request made, do not restore & pay the same to the next Incumbent, being lawfully instituted, inducted,

The fruits ta-
ken in the va-
cation restored
to the next
incumbent.

Ecclesiasticall persons, and liuings.

The Incumbents benefice & charge shall begin during the vacation.

S. Willes 2r.

inducted, or admitted to such Archdeaconrie, Parsonage, or promotion, or doth let or interrupt the said Incumbent to haue the same, Then he shall forfeit the treble value of so much as he shall haue receiued of the said fruits, or hath let or interrupted y^e Incumbent to receiue & take of the said fruits, tithes, &c. to the D. and the Incumbent &c. to be rec. by A. J. &c. wherein no M. E. P. &c. For euery person presented, promoted, admitted, instituted, or inducted to any promotion spirituall, and his executors, shall haue the tithes, fruits, oblations, and all other whatsoeuer reuenues, casualties & profits, certaine and vncertaine belonging to the said promotion, growing, rising, or coming, during the vacation of the same promotion (sauing that if the first incumbent haue sown any part of his glebe lands, he may declare his Testament of the profit of the cozne growing vpon the same.) And also the Bishop, Archdeacon, Ordinarie, or their Ministers, may retaine in their custodie so much of the tithes, fruits, & other commodities, as shall amount to paie to such person as hath serued the cure during the vacation, his reasonable stipend, and also for the gathering and leuying of the tithes, fruits, and profits rising & growing during the vacation. And also the yere in which the first fruits shall be paid to the Queene, shall begin, and be accompted immediatly after the auoidance or vacation of such benefice or spiritual promotion, 28. H. 8. 11.

Union of two Churches.

31 An union or consolidation of two Churches in one, or of a Church and a Chappell in one, the one of them not being aboue the yerely value of vi. li. as it is valued at to the D. in her Elchequer, and not distant fro the other aboue one mile in anie place within this realme of England, may be had or made by the assent of the Ordinarie & Ordinaries of the Dioces where such Churches and Chappells stand, and by the assents of the Incumbents of them, & of al such as haue iust right, title, & interest, to the patronages of the same, being then of ful age. And such unions and consolidations made of two Churches in one, or of a Church & Chappell in one, shall be good and auailable in the lawe to continue for euer vnited in one, in such maner & forme, as by wryting vnder the seale of such Ordinaries, Incumbents, & Patrons it shalbe declared, Alwaies sauing to the D. the tenthes and first fruits of all such Churches and Chappells as shall be vnited in one, according to such like rates as the same are now rated at in the Elchequer, 37. H. 8. 21. 1. Eliz. 4.

No unions in corporate townes without consent of the corporations.

32 But all unions and consolidations to be made of anie Church or Chappell, within any citie or towne corporat within England, without the assent of the Maiors, Sheriffs, and Comminaltie of the citie, or without the assent of such bodie corporat of other townes corporat, where such Churches, Church or Chappell shalbe, by the names of their corporations in wryting vnder their common seale, shall be clearely void, 37. Hen. 8. 21. 1. Eliz. 4.

33 Provided that where the inhabitants of any such poore parish, or the

the more part of the, within one yeere next after the union of the same Parish, by their writing sufficient in the lawe, shall assure the Incumbent of the said parish for the yerely paymēt of so much money, as with the summe that the said parish is valued at in the Eschequer shall amount to eight pound, to be paid yeerely by the said inhabitants to the said Incumbent & his successors, then all such unions and consolidations to be made of any such poore parish shall be void. But this prouiso shall not extend to anie union of anie Church or Chappell made before the making of this statute, 37. H. 8. 21. 1. Eliz. 4. Anno 15. R. 2. 6. and 4. H. 4. 12. It was ordeined that in euery licence which should be made out of the Chancery to appropriate anie parish Church, it should be expressely contained that the Diocesan of the place where the appropriation of anie such Church should be, should appoint according to the value of the Church, a convenient summe of money to be paid and distributed yerely of the fruits and profits of the same Church, to the poore parishioners of the same Parish in aid & maintenance of their livings. And that there should be also a Vicar ordeined by the Ordinarie which should be well and sufficiently endowed, so that he might do diuine seruice, instruct the people, and keepe hospitalitie there.

The union a-
nected upon a
competent li-
uing assured.

Appropriation.

A Vicar.

34 For as much as the Churchyard is the soile of the Church, and whatsoeuer is planted belongeth to the soile, it must needes followe that those trees which be growing in the Churchyard are to be numbred amongst the goods of the Church, the which Lay men haue no libertie to dispose, But because those trees be planted to defend the force of the wind from hurting the Churches, the Parsons of Churches shall not presume to cut them downe vnadvisedly, but when the Chauncell of the Church hath neede of necessarie reparations, Neither shall they be conuerted to anie other vse, except the bodie of the Church doth neede like repaire, in which case the Parsons of their charitie shall do well to relieue the parishioners with the same trees, 35. Edw. 1. Ne rectores prostrant arbores in Cemiterio. This is not apely to be termed a statute, but rather a request, counsell or aduertisement of King Edw. 1. Ideo quare for the validitie thereof.

In what cases
trees may be
cut downe in
Churchyards.

35 S. Tiches 23. In all cases where any person hauing estate of inheritance, freehold, terme or interest in anie Parsonage, Vicarage, or other Ecclesiasticall profit made tempozall, shalbe wrongfully put out of the same, he may haue his remedie in a tempozall Court by originall writte out of the Chancerie, And also writs of couenant, and other writs for fines to be leuied of Parsonages, Vicarages &c. shall be sued out of the Chauncerie, and iudgements giuen and fines leuied of the same be good and effectuell in lawe.

Recouerie and
conuicience in
a tempozall
court of a spi-
ritual living.

36 If anie person or persons bodies politique or corporate, which haue election, presentation, or nomination, or voice, or assent, in the choice, election, presentation, or nomination of any Fellow, Scholler, or any other person

Taking re-
ward for his
vote in elec-
ting a Fellow,
Scholler &c.

Ecclesiasticall persons, and liuings.

person to haue roome or place in anie Churches collegiat, Colledges, Schooles, Hospitals, Halls, or Societies, shall haue, receiue, or take any money, fee, reward, or anie other profit directly or indirectly, or shall take anie promise, agreement, couenant, bond, or other assurance, to receiue or haue anie money, fee, reward, or anie other profit directlie or indirectlie, either to him or themselves, or to anie other of their or any of their friends for his or their voice or voices, assent or assents, or consents, in electing, choosing, presenting, or nominating anie Officer, Fellow, Scholler, or other person to haue any roome or place, in any the said Churches, Colledges, Halls, Schooles, Hospitals, or Societies, Then and from thenceforth, the place, roome or office, which such person so offending, shall then haue in anie the said Churches, Colledges, Schooles, Halls, Hospitals, or Societies, shalbe void. And then aswell the Queene, her heires and successors, and euerie other person and persons, or their heires or successors to whom the presentation, Donation, gift, election, or disposition, shall of right belong or appertaine of anie such of the said roomes or places of the said person offending as aforesaid, shal or may at their pleasure, elect, present, nominat, place or appoint, anie other person or persons in the roome, office, or place of such person or persons so offending, as if the said person or persons so offending then were naturally dead. 31. Eliz. 6.

Giuing or taking of money for resigning a place.

37 If anie Fellow, Officer or Scholler of anie the said Churches, Colledges, Schooles, Halls, Hospitals, or Societies, or other persons hauing roome or place in anie of the same, shall at any time hereafter directlie or indirectlie, take or receiue, or by anie waie, deuise, or meanes, contract or agree to haue or receiue any money, reward or profit whatsoever, for the leauing or resigning by of the same his roome or place for anie other to be placed in the same: then euerie person so taking or contracting, or agreeing to take or haue anie thing for the same, shall forfe. double the summe of money, or value of the thing so receiued and taken, or agreed to be receiued or taken. And euerie person by whom or for whom any money, gift or reward as aforesaid, shalbe giuen or agreed to be paid, shall be incapable of that place or roome for that time or turne, and shall not be, nor had, nor taken, to be a lawfull Fellow, Scholler, or Officer, of anie the Churches, Colledges, Halls, Hospitals, Schooles, or Societies, or to haue such roome or place there, But they to whom it shall appertaine at anie time thereafter, shall and may elect, choose, present and nominat anie other person fit to be elected, presented or nominated into the said roome or Fellowship, as if the said person by or for whom any such money, gift, or reward, shall be giuen or agreed to be paid, were dead or had resigned and left the same. 31. Eliz. 6.

At euery election this statute & the statutes of the house shall be read.

38 At the time of euery election, presentation, or nomination of Fellowes, Schollers, Officers, and other persons to haue place in anie of the said Churches &c. aswell this present Act, as the orders and statutes of the same

same places, concerning such election, presentation or nomination to be had, shal then and there be publickely read vpon paine that euery person in whom default thereof shall be, shall forfeit xl.li. The one moitie whereof shall be to him or them that will sue for the same, the other moitie to the vse of the said Church, Colledge, Hall, Hospitall, Schoole or Society where such offence shall be committed, to be recouered in any her Maiesties courts of record, by anie person or persons, bodies politike and corporat, that will sue for the same by A. B. P. wherein no M. C. P. &c. 31. Eliz. 6.

39 If anie person or persons, bodies politike or corporat, shal or do for any summe of mony, reward, gift, profit or benefit, directly or indirectly, or for or by reason of anie promise, agreement, grant, bond, couenant or other assurance, of or for anie summe of money, reward, gift, profit, or benefit whatsoeuer, directly or indirectly, present or collate any person to anie benefice with cure of soules, dignitie, prebend, or liuing Ecclesiasticall, or giue or bestow the same, for or in respect of any such corrupt cause or consideration, then euerie such presentation, collation, gift & bestowing & euery admission, institution, inuesture & induction thereupon, shall be vtterly void, frustrate, & of none effect in lawe. And it shall and may be lawfull to and for the Q. her heires and successors, to present, collate vnto, or giue, or bestow euerie such benefice, dignitie, prebend, & liuing Ecclesiasticall for that one time or turne only. And all & euery person or persons, bodies politike & corporat, that from thenceforth shal giue or take any such summe of monie, reward, gift or benefit, directly or indirectly, or that shal take or make any such promise, grant, bond, couenant or other assurance, shal forfeit the double value of one yeeres profit of euery such benefice, dignitie, prebend, & liuing Ecclesiasticall to the Q. & I. to be rec. by A. B. J. wherein no M. P. C. &c. And the person so corruptly taking, procuring, seeking, or accepting any such benefice, dignitie, prebend, or liuing, shall thereupon & from thenceforth be adiudged a disabled person in Law, to haue or inioy the same benefice, dignitie, prebend, or liuing Ecclesiasticall. 31. Eliz. 6.

Presenting or collating to a Benefice for reward.

40 If anie person shall for any summe of money, reward, gift, profit or commoditie whatsoeuer, directly or indirectly (other then for vsuall and lawfull fees) or for or by reason of any promise, agreement, grant, couenāt, bond, or other assurance, of, or for anie summe of money, reward, gift, profit or benefit whatsoeuer, directly or indirectly, admit, institute, install, induct, inuest or place any person in, or to anie Benefice with cure of soules, dignitie, prebend or other liuing Ecclesiasticall: then euery such person so offending, shal forfeit the double value of one yeeres profit of euery such benefice, dignitie, prebend, & liuing Ecclesiasticall to the Q. & I. to be rec. by A. B. J. wherein no M. C. P. &c. And thereupon immediatly from & after the inuesting, installation, or induction thereof had, the same benefice, dignitie, prebend, & liuing Ecclesiasticall shal be estloones meerey void. And Patron or person to whom the Adowson, gift, presentation, or collation shall

Admitting to a Benefice for reward.

Ecclesiasticall persons, and liuings.

Lapse.

shall by law appertaine, shall & may by vertue of this act, present or collate vnto, giue, & dispose of the same benefice, dignity, prebend, or liuing Ecclesiasticall in such sort to all intents & purposes, as if the partie so admitted, instituted, installed, inuested, inducted, or placed, had been, or were naturally dead. But no title to conferre or present by Lapse, shall accrue vpon anie voidance mentioned in this act, but after sixe moneths next after notice giuen of such voidance by the Ordinarie to the patron. 31. Eliz. 6.

Corrupt resigning or exchanging of a Benefice.

41 If any Incumbent of any benefice with cure of soules, do or shall corruptly resigne or exchange the same, or corruptly take, for, or in respect of the resigning or exchanging of the same directly or indirectly, any pension, summe of money, or benefit whatsoever, then aswell the giuer as the taker of any such pension, summe of money or other benefit corruptly, shall lose double the value of the summe so giuen, taken, or had to the D. and J. to be recovered by A. B. J. wherein no W. C. P. &c. 31. Eliz. 6.

Ecclesiasticall penalties not restrained by this Act.

42 This act shall not extend to take away or restraine any punishment, paine, or penaltie, limited, prescribed, or inflicted by the lawes Ecclesiasticall, for anie the offences befoze in this act mentioned, but the same shall remaine in force, and may be put in due execution, as it might be befoze the making of this act. This act, &c. notwithstanding. 31. Eliz. 6.

Rewards for making of ministers, or giuing license to preach.

43 If any person or persons whatsoever, shall or doe receiue or take anie money, fee, or reward, or other profit directly or indirectly, or shall take any promises, agreement, couenant, bond, or other assurance, to receiue or haue anie money, fee, reward, or any other profit directly or indirectly, either to him or theselues, or to anie other of their or anie of their friends (al ordinary & lawful fees only excepted) for or to procure the ordeining or making of anie minister or ministers, or giuing anie orders, or license or licences to preach, then euerie person & persons so offending, shall for euerie such offence forf. x. P. and the partie so corruptly made minister, or taking orders, x. P. to the D. & J. to be rec. by A. B. J. wherein no W. C. P. &c. And if at anie time within vii. yeres next after such corrupt entring into the ministerie, or receiuing of orders, he shall accept or take anie benefice, liuing, or promotion Ecclesiasticall, then immediatly from & after the induction, inuesting, or installation thereof, or thereinto had, the same benefice, liuing, & promotion Ecclesiasticall shall be eftsoones meerely void. And the Patron or Parson to whom the Aduowson, gift, presentation, or collatio shall by law appertain, shall & may by vertue of this act, present or collate vnto, giue, & dispose of the same Benefice, liuing, or promotion ecclesiasticall, in such sort to all intents & purposes, as if the partie so inducted, inuested, or installed had been, or were naturally dead, any law, ordinance, qualification, or dispensation to the contrary notwithstanding. 31. Eliz. 6.

Preachers.

1 That Ecclesiasticall Parsons shall not be molested which are in Preaching or doing Diuine seruice. S. Arrests. 1. Preachers 1.

Corne sowed.

2 That an Incumbent may declare his will of Corne sowed vpon his glebe

glebe land. S. Testaments. 21.

3 What Ecclesiasticall persons shal forfait which do not say Common Praier or minister the Sacraments, as they ought. S. Sacraments. 2. 10. Common Praier.

4 Which Ecclesiasticall persons shall take the othe for the Queenes Othe. supreme gouernment ouer al estates, and vpo what pain. S. Q. 5. 6. 8. 10.

5 The punishment of an Ecclesiasticall person which compasseth to Queene. destroy or depose the Queene, or to leuie warre within the realme, or maintaineth that she ought not to be Queene. S. Queene. 12.

6 That the goods of an Ecclesiasticall person shal not be taken by any Purueiors. of the Queenes Purueiors. S. Purueiors. 2.

7 That no Alien shall take a Benefice within England without the Queenes license, neither anie man occupie to his vse, nor that anie Bishop shall meddle with the fruites of any Benefice giuen to an Alien. See Premunire. 2. 3. 4.

8 That Ecclesiasticall persons may be punished by their Ordinaries Incontinencie. for Incontinencie. S. Incontinencie. 1.

9 That the Clergie shall make no constitutions without the Queenes Constitutions. assent. S. Conuocation 2.

10 What Apparell Ecclesiasticall persons may weare. See Apparell. Apparell. 13. 14. 16.

11 What an Ecclesiasticall person shall forf. which giueth license to eate flesh to him that hath no neede. S. Fish daies 4. License.

12 What an Ecclesiasticall person shall lose which passeth the sea without the Queenes license, and doth not returne within fixe moneths after Proclamation. S. Fugitiues 2. Fugitive.

13 How manie Horses euery Ecclesiasticall person is chargeable to keepe. S. Horses. 10. 11. Horses.

14 How manie Sheepe Spirituall persons may keepe. S. Sheepe. 10. Sheepe.

15 For forcible entrie or forcible detaining of Ecclesiasticall liuings. See Force. &c. 2. Force.

16 Concerning remedie for Dilapidations made by anie Ecclesiasticall persons. S. Dilapidations. 1. 2. Dilapidations.

17 In what fees of the Church a distresse may be takē. See Distresse 3. Distresse.

18 For fresh suite by writ of Entrie, &c. after the disseison by Prelates. S. Age. 1. Disseisor.

19 Where title to present by Lapse shal not accrue to the Ordinarie, but after fixe moneths after notice. S. Lapse. 1. Lapse.

20 Where it is Mortmaine for any Spirituall person to enter into lands and make a Churchyard or buriall place thereof. S. Mortmaine 3. Mortmaine.

21 What assurances of lands may be made to Churches, Chappels, Churchwardens, &c. in what sort, and for how long time. See Mortmaine 6. 7. Assurance to Churches.

22 How much Ecclesiasticall persons, and their farmors shall take for Mortuaries. Mortuaries.

Ecclesiasticall persons, &c. Egyptians. Entre.

Mortuaries, and of whom. S. Mortuaries.

Vacation.

23 The remedy where a disturber presenteth to a Church during the vacation. S. Aduowson. 1.

24 A confirmation of Ecclesiasticall livings before assured to K. H. 8. and K. Ed. 6. S. Monasteries. 29. 32.

25 What remedie a Parson of a Church shall haue to recouer land or common of pasture, whereof he or his predecessor was deforced. See Quod permittat 1.

Egyptians.

**Bringng ouer
Egyptians or
suing for licence
for them.**

If anie person doth willinglie transport into England or Wales anie persons commonly called Egyptians, or doth sue for any letter, license, or passport for anie of the sayd Egyptians to continue in England or Wales, contrarie to this statute, he shall forfe. xl. li. to the D. and J. to be recovered by A. J. &c. wherein no W. E. P. &c. And also such letter, license, and passport shalbe void, 1. and 2. P. and D. 4.

**It is felonie
for Egyptians
to continue
within this
realme a mo-
neth.**

2 If anie persons called Egyptians being aboue the age of xiii. yerres, which shalbe transported into England or Wales, doe continue within the same by the space of one moneth, or anie persons being of the age of xiii. yerres, shall be seene in anie companie of the vagabonds calling themselves Egyptians, or counterfaiting, transfor ming, or disguising themselves by their apparell, speech or other behauour like vnto Egyptians, and so shall continue, either at one, or severall times, by the space of a moneth, they shall be iudged felons. 1. and 2. P. and D. 4. 5. Eliz. 20.

1 That an Egyptian shall not haue his Clergie. S. Clergie. 11.

2 That the triall vpon arraignment of Egyptians shall not be per medietatem linguæ. See Iurors 30.

Entre.

**A disseisor dy-
ing seised ta-
keth away no
title of Entre.**

The dying seised of any disseisor, of, or in any manors, lands, tenements, or other hereditaments hauing no right or title therein, the which with strength, and without title entred into the same, and wrongfully disseised the rightfull owners and possessors thereof, shall not be taken any such discent in the Law for to tolle or take away the Entre of any such person or persons, or their heires, which at the time of the same discent had good and lawfull title of Entre, into the said manors, lands, tenements, or hereditaments, Except that such disseisor hath had the peaceable possession of such lands &c. whereof he shall so die seised, by the space of five yerres next after the disseison therein by him committed without Entre or continuall claime, by, or of such person or persons, as haue lawfull title thereunto. 32. H. 8. 33. Vide Dyer fol. 219.

**Writs of En-
tre in the poss.**

2 If those alienations whereof a writ of Entre had wont to be graunted, be past so many degrees, whereby that writ cannot be made according to the forme before time vsed, the plaintifes shall haue a writ to recouer their seison, without making mencion of any degrees, to whose hands

foeuei

soever by such alienations the thing shall come, Marlebridge. 52. v. 3. 29.

1 Where a writ of Entre is maintainable for the disseisee, or his heire, against the disseisour or his heire. S. Age 1.

Error.

If the tenant for terme of life, tenant in dower, tenant by curtesie of England, or tenant in taile after possibilitie of issue extinct, be impleaded, and plead to an enquest, and lose by verdict, default, or in other manner, he to whom the reversion of the tenements so lost pertaineth at the time of such iudgement giuen, his heires and successors shall haue an action by writ of Attaint, to attaint the same Iurie, if he will assigne the same oath to be false, and also by writ of Error, if Error be found in the record of such iudgement, aswell in the life of such tenants that so do lose, as after their death, And if such iudgement erroneous be reuerfed, or such false oath be found, the tenant that did lose by the first iudgement (if he be lyuing) shall be restored to his possession of the tenements so lost with the issues in the meane time, and the party pursuing, to the arrerages of the rent, if any be due of the same tenements. And if such tenant be dead at the time of the iudgement giuen upon such writs of Attaint and of Error, restitution of the said tenements shall be made to the party pursuing, with the issues, after the death of the said tenant, together with the arrerages of the rent if any to him were due in the life of the tenant. But although the Tenant which so did lose by iudgement be lyuing, and the party pursuing will alleage that the same tenant was of couin, and of the assent of the demaundant which recovered, to lose such tenements, yet restitution shall be made to the same party pursuing, with the issues and arrerages: Sauing to such Tenant his action of Scire facias out of the same iudgement so reuerfed, or by writ of Attaint if he will traaverse the couin and assent, and not otherwise, 9. R. 2. 3. S. Recoveries 5. if any Recouerie be had by agreement of the parties, or by couin against any such Tenant for terme of life, or against any other with voucher ouer of any such tenant, the same against him in the reversion or remainder shall be void. 14. El. 8.

he in the reversion shall haue a writ of Error and Attaint upon a iudgement giuen against the particuler Tenant.

Recoverte against tenant for life.

2 In all cases touching the Queene or other persons, where a man complayneth of Error made in proces in the Eschequer, the Chauncelour and Treasorer shall cause to come before them in any chamber of Counsaile nigh the Eschequer, the record of the proces out of the Eschequer, and taking to them the Iustices, and such other Sages as they shal think neete, they shall call before them the Barons of the Eschequer to heare their Informations, and the causes of their Iudgements, and shall duely examine the matter. And if any Error be found, they shall correct it, and amend the roules, and after send them backe into the Eschequer thereof to make execution, as the cause requireth, 31. Ed. 3. 12. The not com-

Error in the Eschequer.

Error.

ming of the Lord Chaunceloz, and the Lord Treasozer, oz either of them at the day of adiournment in any such suit of Erroz, depending by vertue of the said former estatute, shall not be any discontinuance of any such writ of Erroz. But if both the Chiefe Iustices of either Bench, oz any one of the said great Officers, the Lord Chaunceloz, oz Lord Treasozer shall come to the Eschequer Chamber, and there be pzesent at the day of adiournment in such suit of Erroz, it shall be no discontinuance, but the suit shall proceede in Law to all intents and purposes, as if both the Lord Chaunceloz and Lord Treasozer had comen and bin pzesent at the day and place of adiournment. Prouided alwayes, that no Iudgement shall be giuen in any such suit oz writ of Erroz, vnlesse both the Lord Chauncelour and Lord Treasozer shall be pzesent thereat.

31. Eliz. 1.

Judgements
giuen in the
Kings Bench,
examined & af-
firmed, oz re-
uerfed by the
Iustices of the
common place,
and Barons of
the Eschequer.

3 Where any Iudgement shall at any time hereafter be giuen in the Court of the Kings Bench, in any suit oz Action of debt, detinue, couenant, accompt, Action vpon the case, Eiectione firme, oz trespas, first commenced, oz to be first commenced there, (other then such onely where the Queene shal be party) the party plaintife, oz defendant, against whom any such Iudgement shall be giuen, may at his election sue forth out of the Court of Chauncerie, a speciall writ of Erroz to be deuised in the said Court of Chauncerie, directed to the chiefe Iustice of the said Court of the Kings Bench for the time being, commaunding him to cause the said Recozd, and all things concerning the said Iudgement, to be brought before the Iustices of the Common Bench, and the Barons of the Eschequer, into the Eschequer chamber, there to be examined by the said Iustices of the Common Bench, and Barons aforesaid, which said Iustices of the Common Bench, and such Barons of the Eschequer as are of the degree of the Coyse, oz sixe of them at the least, by vertue of this pzesent Act, shall thereupon haue full power and authoritie to examine all such Errozs, as shall be assigned oz found, in, oz vpon any such Iudgement, and thereupon to reuerse, oz affirme the said Iudgement, as the Law shal require, ocher then for Errozs to be assigned oz found, for, oz concerning the Iurisdiction of the said Court of Kings Bench, oz for any want of forme in any writ, retourne, plaint, bill, declaration, oz other pleading, proces, verdict, oz proceeding whatsoever: And after that the said Iudgement shall be reuerfed, oz affirmed, the said Recozd and all things concerning the same, shall be remoued and brought back into the said Court of the Kings Bench, that such further proceeding may be thereupon, aswell for execution, as otherwise, as shall appertaine. 27. Eliz. 8.

Erronious
iudgement
examined in
Parliament.

4 And such reuerfall oz affirmation of any such former Iudgement, shall not be so finall, but that the partie who findeth him grieued therewith, shall and may sue in the High Court of Parliament, for the further, and due examination of the said Iudgement, in such sort as is now
used

used upon Erronious Iudgements, in the said Court of Kings Bench.

27. Eliz. 8.

5 If the full number of the Iustices and Barons authorized by the said Act (of 27. Eliz.) come not at the day or time of retourne or continuance of any such writ of Error, it shall be lawfull for any three of the said Iustices and Barons at euery of the said dayes and times, to receiue writs of Error, to award proces thereupon, to make and prefixe dayes from time to time, of and for the continuance of all such writs of Error as shall be there retourned, certified, or depending. And the same shall be to these respects as good and auailable, as if all the Iustices and Barons authorized by the same Act were present. And the Iustices and Barons authorized by the said statute, may after that lawfully proceed in all those cases in such sort to all intents, as they might doe in other cases mentioned in the said statute: any not comming of any the said Iustices or Barons notwithstanding. Provided neuerthelesse, that no Iudgement shall be giuen in any such suit or Error, vnlesse it be by such full number of the said Iustices and Barons as are in that behalfe authorized and appointed by the said Act. 31. Eliz. 1.

That three Iustices may receiue writs, and award proces.

No Iudgement giuen but by six Iustices at the least.

6 But the party plaintife or defendant against whom any such Iudgement hath bin heretofore, or hereafter shall be giuen in the said Court of the Kings Bench, may at his election sue in the High Court of Parliament for the reuersall of any such Iudgement, as heretofore hath bin vsuall or accustomed: any thing in this statute, or in the said former Act to the contrarie thereof notwithstanding. 31. Eliz. 1.

Error sued in Parliament.

7 After Iudgement giuen in the Queenes Courts, the parties and their heires shall be thereof in peace, vntill the Iudgement be vndone by Attaint or Error, if there be Error, as hath bin vsed by the Lawes in the time of the Queenes progenitors. 4. H. 4. 23.

A Iudgement shall continue, vntill it be reuerled.

1 That a writ of Error shall be sued in the Kings Bench of Erronious Iudgement giuen in the Marshalsey. S. Marshall 5.

2 Where the defendant in a writ of Error shall recouer his costes and dammages. S. Dammmages 5.

3 That a Iudgement giuen after Demurrer, shall not be reuersed by writ of Error, for imperfection in writ, pleading, &c. S. Demurrer 1.

4 Where, and for what causes a fine or recouerie may be reuersed by writ of Error, and where not. S. Fines 20. 21. 30. 31.

5 Where Erronious Iudgements giuen before the Iustices of the xij. Shires in Wales, shall be redressed. S. Wales 24.

Escape.

If the Shirife or Gaoler do suffer any chamberlaine, baylife, seruant, or other Receiuer to go at libertie, which is committed to prison by the Auditors of his accompt, by the common writ of Replegiare, or otherwise, without his Masters assent, and be therof conuict, he shall answer

Escape of an accomptant.

to the Maſter of ſuch accomptant, the damages which he hath receiued by the ſaid accomptant, according as they may be prooued by the Countrey, and he therefore ſhall haue an Action of debt, and if the Gaoler be inſufficient, his Superior that committed the gaole vnto him, ſhall be anſwerable by the ſame writ, *Wett. 2. 13. Ed. 1. 11. S. Accomptant 2.*

Leuying of
money for
escape.

2 If the Shirife or any other do take, or leuy any thing for the Escape of any Felon, before it be adiudged by the Juſtices in Eire, he ſhall reſtore to the partie, or him that paid it, as much as he receiued, and to the Queene as much, *Wett. 1. 3. Ed. 1. 4.* for the Escape of Felons and Clerkes conuict ſhal be adiudged by the ſame Juſtices, and by their view leuiued, *3 1. Ed. 3. 14.*

A priſoner con-
demned goeth
by Baile or
Baſton.

3 If the Warden of the Fleete, do ſuffer any priſoner there being by iudgement at the ſuit of the party to go out of priſon by Baile, Mainpriſe, or Baſton, without agreeing with the partie at whole ſuit he is there (except it be by the Queenes writ or commaundement) he ſhall loſe his office. And if the ſaid Warden be attainted by due proces, the plaintife ſhall haue his recouerie againſt him by Action of debt, wherein no *ſp. ac. 1. R. 2. 12.* It ſeemeth by the ſtatut of *7. H. 4. 4.* that the Wardens of the priſons of the Marſhalſey, Kings Bench, & other priſons in cities, boroughes, and townes, are chargeable accordingly, if they let any priſoners condemned goe at libertie.

1 How they ſhall be puniſhed which do procure the Escape of any perſon committed to priſon by the Queenes commaundement. See Priſon 8.

2 That the Towne ſhall be amerced for the Escape of a Murderer. *S. Murder 1.*

3 How an Escape of him which diſturbeth a Preacher in his Sermon, ſhall be inquired of, preſented, and puniſhed. *S. Preachers 3.*

4 That Juſtices of Peace haue authoritie to inquire of Escapes of Felons. *S. Juſtices of peace 19.*

5 That a Coroner ſhall inquire of the escape of a Murderer. See Coroners 13.

Eschequer.

Clerk making
proces for debt
which is payd.

If a Clerk of the Eſchequer make any writ or proces for to prooue that a debt of new, which hath bin paid, and the Tales thereof ioyned and allowed in the ſaid Eſchequer, he ſhall loſe his office, and be impriſoned vntill he hath ſatiſfied the party ſo much, as by the diſcretion of the Treafurer and Barons he is endammaged, *1. R. 2. 5.*

Nothing ſhall
be taken of him
which payeth
the Tenth.

2 If any Officer of the Eſchequer, doe take of any Archbbyſhop, Bp. ſhop, or other perſon hauing charge with the collection and payment of the Tenth of ſpirituall promotions, any reward or thing for making his accompt, or *Quietus eſt*, in the ſame Eſchequer, or for any thing pertaining to the ſame concerning the Tenth, he ſhall forfeit his Office, and make

make fine at the Queenes pleasure, 26. H. 8. 3. For the authoritie of the Court of Eschequer, See Courts.

1 That Collectors of Dismes accompting in the Eschequer shall not be bound to aunswer to other mens bills exhibited against them there. S. Accomptants to the Queene 49.

2 The maner of reforming Erronious iudgements giuen in the Eschequer. S. Error 2. 3. 5.

3 That Fugitiues lands shall be within the suruey of the Eschequer. S. Fugitiues 8.

Escheator.

IF any person named, be certified into the Chauncerie by the Lord Treasurer to be Escheator, do not within one moneth next after his letters Patents shall be offered vnto him, take vpon him the execution of the same Office, or els within the time aforesaid appeare in the Eschequer, and shew a reasonable cause why he ought not so to do, he shall forfeit for euery such default to the Queene xx. li. 33. H. 8. 22.

Within what time an Escheator appointed shall take or refuse the office.

2 An Escheator which shall sit onely by vertue of his Office to inquire of the tenure, title, or value of any lands, tenements, or hereditaments, being of the yeerely value of v. li. or aboue, & holden of the Queene, without the Queenes writ directed to him for the same, shall forfeit v. li. for euery time that he shall sit & make inquirie to the contrarie, &c. 33. H. 8. 22.

An Escheator shall not find an office of lands to the value of v. li. virtute officij.

3 If any Escheator doth take aboue the summe of xv. s. for the finding of an office of any lands, tenements, or hereditaments, not exceeding the cleere yeerely value of v. li. viz. for the Escheators fee vi. s. viii. d. for the writing of the office iii. s. iiii. d. for the charges of the Iurie iii. s. and for the Officers that shall receiue the said office in any Court of Record ii. s. he shall forfeit for euery time so offending v. li. to the Q. and J. to be recovered by A. J. &c. wherein no W. E. P. &c. 33. H. 8. 22.

The Escheators fees when the land doth not exceede v. li.

4 If any Escheator, or Commissioner doth retorne, or put into any of the Queenes Courts, any Inquisitions, or Offices concerning lands, tenements, or hereditaments not found nor presented by the oathes of twelve men, and indented, and by them sealed, the said Escheator or Commissioner shall forfeit for euery such Office or Inquisition so returned &c. li. to the partie or parties grieved by any such Inquisition or Office. 1. H. 8. 8. 3. H. 8. 2.

Offices returned not found or not sealed by the Iurie.

5 If an Escheator, or any other, by vertue of any Commission doth sit to inquire of lands, tenements, or hereditaments, except he, or other to his vse, hath lands, tenements, or hereditaments, of the yeerely value of xl. Markes, aboue all charges, he shall forfeit xx. li. (without he be an Escheator in a Citie or Towne corporat, or made by some person hauing priuiledge thereunto, and except Escheators of the Countiees Palantine of Lancaster and Chester,) for any person being not sufficient of freehold, nay refuse to sit vpon the same commission, and vpon proces made against him

Not sufficient of freehold.

Eschetoꝝ.

him out of the Eschequer shall be discharged vpon his oath for non suffi-
ciencie without fine or fee. 1.H.8.8. 3.H.8.2.

Euery man
may giue evi-
dence vpon an
Office.

6 If any Eschetoꝝ or Commissioner will denie any person to giue
evidence openly in his presence to such Enquestes as shall be taken before
him for the finding of an Office, he shall forfeit xl. li. 1.H.8.8. 3.H.8.2.

The Eschetoꝝ
shall receiue an
office, & deliuer
the counter-
pane.

7 If an Eschetoꝝ or Commissioner, or part of the Commissioners (af-
ter an Enquest before him sworn to inquire of lands, &c. be ready to giue
their verdict, and offer to present the same) do not receiue the same verdict
without further delay, and also do not deliuer the Counterpane of the Of-
fice or Inquisition by the Iurie found indented and sealed by himselfe, to
the same Iurie, to the intent it may be deliuered and rest in the possession
of the first person of the said Iurie, the Eschetoꝝ or Commissioner which
so offendeth shall forfeit C. li. to the party griued, to be recouered by A.
of debt. And euery of the Iuroꝝ sworn which will not receiue the coun-
terpane of the said Office indented and sealed by the Eschetoꝝ or Com-
missioner, or shall not suffer the same to rest in the possession of the first
man of the Iurie, shall forfeit xx. s. to the D. and J. to be recouered by A.
of debt, wherein no W. E. P. &c. 1.H.8.8. 3.H.8.2.

How long one
shall be Esche-
toꝝ.

8 If an Eschetoꝝ do exercise his Office by reason of one patent ouer
one whole yeere, or be made Eschetoꝝ within thre yeeres after, then after
the said yeere ended his patent shall be void, except he be Eschetoꝝ by
patent or graunt in any Citie or Towne corporat, or in the Duchie of
Lancaster or Cornewall, or in any Countie Palantine, or made by any
person hauing authoritie by any priuiledge, prescription, or graunt to
make Eschetoꝝ. 1.H.8.8. 3.H.8.2. 14.Ed.3.8.

Within what
time, & where
an Eschetoꝝ
shall take his
enquest.

9 If any Eschetoꝝ doth not take his enquest of Office by vertue of a
Diem clausit extremum, or any other writ, within the moneth next after
the deliuerie of the said writ vnto him, (or if he do not take such enquestes
in good Townes, and open places. 3.H.8.2.) or if he do take priuily or
openly, by himselfe or any other, aboue the summe of xl. s. for the execu-
tion of any writ in one Countie, he shall forfeit for euery offence xl. li.
24.H.6.17. See 34.Ed.3.13. 36.Ed.3.13. That if the Eschetoꝝ
do not take his enquestes in good Townes openly, and by honest men of
good fame, and hauing sufficient in the same Countie, and by Indenture
betwixt the Eschetoꝝ and the Iuroꝝ, the same enquestes shall be void,
and the Eschetoꝝ shall be two yeeres imprisoned, and punished at the
Queenes pleasure. But for these penalties Quere.

Eschetoꝝ fre.

Quere.

Within what
time an Office
shall be retur-
ned.

10 If an Eschetoꝝ or Commissioner doth take any Office before him,
and doth not returne the same into the Chauncerie, or Eschequer, within
a moneth after the taking thereof, he shall forfeit xl. li. and also pay to
the Queene so much as she is indammaged by not returning thereof.
8.H.6.16. 18.H.6.7. But if the Clerk of the Petit bagge of the Chan-
cerie, or his Deputie, or any other Officer there hauing authoritie to
receiue

ceiue any such Office or Inquisition, to whose hands any such Office shall come, will not receive the same, and put it on the files, to remaine of record, within three dayes after it be received, or offered to him, the Clerk shall forfeit for every default xl. pound, and the Eschetor or Commissioners shall be discharged of the foresaid forfeiture of xl. li. 1. H. 8. 8. 3. H. 8. 2. See Office 5.

11 If any Eschetor or Commissioner doth take any Enquest of inquirie of any other persons, but of such as be returned and impanelled by the Shirife of the Countie where he is Eschetor or Commissioner, he shall forfeit xl. li. 8. H. 6. 16. 18. H. 6. 7. Enquest returned by the Shirife.

12 No Eschetor shall sell or let to farme his Office, nor shall make any Deputie, but such for whom he will answer at his perill. And the Eschetor shall certifie the name of his Deputie or Deputies vnder his letters patents to the Treasorer and Barons of the Eschequer, within twentie daies after deputation made. And no Deputie shall take vpon him to occupie the said Office, except the Eschetor hath landes, tenements, or rents, to the value of xx. pound, vpon paine of forfeiture for every offence fourtie pound to the Queene and Informer, to be recovered by A. of debt, wherein no W. C. P. &c. 12. Ed. 4. 9. S. Justice of peace 87. Eschetors Deputie.

13 Every Eschetor hath authoritie to inquire by the othes of twelve lawfull men, of every offence done contrarie to the statute provided 7. Ed. 6. to auoide the great prices and excesse of Wines. And euerie inquirie and presentment taken by the othes of twelve men, shall be of such force, as if it were taken in the Kings Bench. 7. Ed. 6. 5. S. Wines.

1 That Assise lyeth against an Eschetor, which by colour of his office disseiseth any man. S. Assise 4.

2 That an Eschetor shall haue no fee, nor commit wast in the lands of the Queenes Wardes. S. Wardes 23.

3 That Eschetors may inquire of counterfaiers of Waights, and punish them. S. Waights 13.

4 For the Eschetors ductie concerning finding of Offices, &c. See Offices.

5 What Iurors shall be returned before the Eschetors or Commissioners. S. Iurors 13.

6 Who shall be Eschetors in the xij. Shires in Wales, who shall name them, their office, ductie, &c. S. Wales 51.

Essoines.

In Counties, Hundreds, Court Barons, or in other Courts, none shall neede to be sworne to warrant his Essoine, Marlb. 52. H. 3. 19. No Essoine by Oath.

2 Two Coperceners, or two that hold in common, shall not haue Essoine but at one day, no more then one sole tenant should haue, so that they shall not fouch, but only shall haue one Essoine, West. 1. 3. Ed. 1. 42. Fouches by Essoine.

And in like case it shall be where a man and his wife be impleaded in the Queenes Court, Gloucester. 6. Ed. 1. 10.

After appa-
rance no Es-
soine.

3 After the tenant in an Assise, Attaint, or Iuris vtrum hath once appeared in the Court, he shall be no more Essoigned, but shall make his Attourney to sue for him if he will, and if not the Assise or Iurie shall be taken throught his default, West. 1. 3. Ed. 1. 41. And the same Law shall be obserued of the demandants in writs of Assise, West. 2. 13. Ed. 1. 28.

But one essoine
after issue ioy-
ned.

4 After a man hath put himselfe vpon any enquest, which hath, or must passe in such maner of writs, (viz, Dower vnde nihil habet, Assise of Darrein presentment, Quare impedit, and other writs where Attachments do lie, Marlb. 52. H. 3. 12.) he shall haue but one Essoin, or one default: So that if he come not at the day giuen by the Essoin, or make default the second day, then the Enquest shall be taken by his default, and according to the same Enquest they shall proceede to iudgement. And if such Enquest shall be taken in the Countie before the Shirisfe or Coroners, it shall be returned to the Queenes Iustices at a certain day, and if the partie defendand come not at that day, then vpon his default an other day shall be assigned vnto him by the Iustices discretion. And the Shirisfe shall be commaunded that he cause him to come to heare the iudgement if he will according to the Enquest, at which day if he come not, vpon his default they shall proceede to iudgement. In like maner it shall be done if he come not at the day giuen vnto him by his Essoine, Marlb. 52. H. 3. 13. After any hath put himselfe to an Enquest, an Essoine shall be allowed vnto him at the next day: But at other dayes following the taking of the Enquest shall not be delayed by Essoine, whether he were essoined before or not. Neither shall any Essoine be allowed after day giuen by Prece partium, in case where the parties consent to come without Essoine, West. 2. 13. Ed. 1. 27.

Essoint vltra
Mare.

5 Essoine of Vltra mare shall not be allowed, if the demaundant do challenge it, and be ready to auerre that he was in England the day that the Summons was made and thre weekes after, but it shall be adiourned in this forme, that if the demaundant be ready at a certaine day by the aduertisement of the Countrey, or otherwise as the Queenes Court will award, to prooue that the tenant was within the fower Seas the day that he was summoned and thre weekes after, so that he might be reasonably warned by the summons, the Essoine shall be turned into a default, & this is onely to be vnderstand before Iustices, West. 1. 3. Ed. 1. 43.

Essoine de
Malo lecti.

6 In the Circuit of the Iustices an Essoine de Malo lecti shall not be allowed for lands in the same Countie, vlesse he that caused himselfe to be essoined be sicke in deede: for if the demaundant do alledge that the tenant is not sicke, nor in such state but that he may come before the Iustices, his challenge shall be admitted, and if it can be so prooued by Enquest, his essoin shall be turned into a default. And from henceforth such

Essoin

Essoin shall not lye in a writ of Right betweene two clayming by one discent, West. 2. 13. Ed. 1. 17.

7 If the defendand doe cause himselfe to be essoined of the Queenes seruice, and do not bring in his warrant at his day which is giuen him by his Essoin, he shall render damages to the plaintife for his iourney xx. s. or more, according to the Iustices discretion, and shalbe amerced to the Ducene. Glouc. 6. Ed. 1. 8. Essoin of the Queenes seruice doth not lie in a writ of Nouel disseisin, in a writ of Dower vnde nihil habet, in a writ of Darrein presentment, nor in Appeal of the death of a man, Stat. de visu terræ & essoñ de seruitio domini Regis.

8 In Appeal of the death of a man there shall no Essoin lie for the Appaloꝝ for any cause, in whatsoeuer Court the appeal shall happen to be determined, West. 2. 13. Ed. 1. 12.

9 Here is declared how many waies Essoines may be challenged, and in what cases Essoines do not lye, An essoine lyeth not where the land is taken into the Queenes hands: Nor where the partie is distrained by his lands: Nor where any iudgement is giuen thereupon if the Iuroꝝ do come: Nor where the party was seen in Court: Essoin de Ultra mare lyeth not where the party an other time was essoined de malo veniendi: It lyeth not where the party hath essoined himselfe an other day: Nor where the Sherife was commaunded to cause the party to appeare: Essoin de Seruicio Regis lyeth not where the party is a woman: It lyeth not in a writ of Dower where it seemeth to be but a delay of right: It lyeth not for that the plaintife hath not found pledges of suit: It lyeth not where the Atturney was essoined: Nor where the partie hath an Atturney in the suit: Nor where the Essoinee confesseth that he is not in the Queenes seruice: Nor where the Summons is not returned, or the party not attached, for that the Sherif hath returned Non est inuentus: Nor where the party an other time was essoined de seruitio Regis, vꝝ. such a day, and now he hath not put in his warrant: Nor where he was resummoned in assise of Mortdauncestor, or Darrein presentment: Nor because such a one is not named in the writ: Nor where the Shirif had a pꝛecept to distrain the partie to come by his lands and goods: Nor where the Bishop was commaunded to cause the partie to appeare: It lyeth not for that the Terme is past. And it is to be noted, that Essoines de seruitio Regis are allowed after the Graund Cape, petit Cape, & after distresses taken vpon the lands and goods, Stat. de Essonijs. An. 12. Ed. 2.

Estreates.

If any Sherife or minister of his, hauing receiued the greene waxe to leuie the Queenes debts, doe not shew to the partie indebted the Estreates Sealed, & totte the same which is paid, but that the debt which in that sort is once paid, is an other time demanded of the partie, the said Sherif &c. shall pay to the P. griued, his treble damages, and make fine to

Rolles of Estreats shalbe made certaine.

to the Q. 42. Ed. 3. 9. S. Accomptants to the Q. 52. Iustices of peace 88.

2 The Judge (befoze whom any issues oz amerciaments be forfeited) shal charge the Clerk of the Court vpon his othe, that he make the Rolles of the Estreates of such issues and amerciaments distinctly by expresse word of the cause of the losse, of the Terme of the peere, the nature of the wꝛit, and betwixt what parties such issues &c. be lost. 7. H. 4. 3.

1 That Sherifes shall make no Estreates vntill two Iustices haue had the view of them, which Estreates shal be indented, and the Iustices shall haue one part. S. Sherifes 14. 18. 20.

2 To euery estreat of issues against a Iuror, his additiō shalbe put. S. Iur. 34
Excommunication.

Awarding and returning of the wꝛit of Excommunicato capiēdo.

EUery wꝛit of Excommunicato capiēdo that shall be graunted and awarded out of the Chauncery, against any person oz persons within the Realme of England, shalbe made in the time of the Terme, and returnable befoze the Q. her heires and successors in the R. Bench, in the Terme next after the Teste of the same wꝛit. And the same wꝛit shall be made to containe at the least xx. daies betweene the Teste and the returne thereof. And after the same wꝛit shalbe so made & sealed, then the said wꝛit shalbe forthwith brought into the R. Bench, and there in the pꝛesence of the Iustices shal be opened & deliuered of Record to the Sherife, oz other Officer, to whom the seruing and execution thereof shall appertaine, oz to his oz their deputie oz deputies. And if afterwards it shall oz may appeare to the Iustices of the same Court for the time being, that the same wꝛit, so deliuered of record, be not duely returned befoze them, at the day of the returne thereof, oz that any other default oz negligence hath bin vsed oz had in the not well seruing and executing of the said wꝛit, Then the Iustices of the said Court, shall and may assesse such Amerciament vpon the said Sherif oz other Officer, in whom such default shal appeare, as to the discretion of the said Iustices shall be thought meet & conuenient, which amerciament so assessed, shall be estreated into the Eschequer, as other amerciaments hath bin vsed. 5. Eliz. 23.

What shall be done with the body of the Excommunicate.

2 The Sherife oz other Officer to whom such wꝛit of Excommunicato capiēdo, oz other proces, by vertue of this Act shalbe directed, shall not in any wise be compelled to bring the body of such person oz persons, as shalbe named in the said wꝛit oz processe into the R. Bench, at the day of the returne thereof, but shal only returne the said wꝛit and processe thither, with declaration bꝛiefly how and in what maner he hath serued and executed the same, to the intent that thereupon the said Iustices may then further therein proceed, according to the tenor & effect of this act. 5. El. 23.

If the Sherife returne Non est inuenis.

3 And if the Sherife oz other officer to whom the execution of the said wꝛit shal so appertaine, do oz shal returne, that the party oz parties named in the said wꝛit cannot be found within his bailiwick: Then the Iustices of the R. Bench for y^e time being, vpon euery such returne shall award one wꝛit

writ of Capias against the said person or persons named in the said writ of Excom. cap. returnable in the same court in the terme time, two moneths at the least next after the Terme thereof, with a proclamation to be contained within the said writ of Capias, that the Shirif or other officer to whom the said writ shalbe directed in the full county Court, or els at the general assises & gaol deliuey to be holden within the said county, or at a quarter sessions to be holden before the Just. of the peace within the same county, shal make open proclamation x. daies at the least before the return, that the party or parties named in the said writ, shal within vi. daies next after such proclamation, yeeld his or their bodie or bodies to the gaol and prison of the said Shirif, or other such officer, there to remaine as a prisoner, according to the tenor and effect of the first writ of Excom. cap. vpon pain of forf. of x. li. And therupō after such proclamation had, & the said vi. daies past and expired, then the said Sherif or other officer to whom such writ of Capias shalbe directed, shal make return of y^e same writ of Capias into the R. Bench of all that he hath done in the execution thereof, & whether the party named in the said writ hath yeelded his bodie to prison or not. And if vpon the return of the Sherif it shal appeare, that the party or parties named in the said writ of Capias, or any of them, haue not yeelded their bodies to the gaol & prison of the said Sherife or other officer, according to the effect of the same proclamation: Then euery such person that so shal make default, shal for euery such default forf. to the Q. her heires and successors x. li. which shalbe likewise estreated by the said Justices into the Escheq. in such maner & forme, as fines & amerciaments there taxed and assessed, are vsed to be. And thereupon the Just. of the R. Bench shal also award forth one other writ of Capias against the said person or persons that so shalbe returned to haue made default, with such like proclamation, as was contained in y^e first Capias, & a pain of xx. li. to be mencioned in the said second writ & proclamation. And the Sherif or other officer, to whom the said second writ of Capias shalbe so directed, shal serue & execute the same second writ, in such like maner & forme, as before is expessed for the seruing and executing of the said first writ of Capias. And if the Sherife or other Officer shal returne vpon the said second Capias, that he hath made the proclamation, according to the tenor and effect of the same writ, and that the partie hath not yeelded his bodie to prison, according to the tenor of the said proclamation: Then the said party that so shal make default, shal for such his contempt and default forf. to the Q. her heires and successors xx. li. which summe of xx. li. the Justices of the R. Bench for the time being, shal likewise cause to be estreated into the Eschequer in maner and forme aforesaid. And then the said Justices shal likewise award forth one other writ of Capias against the said party with such like proclamation & paine of forf. to the Q. her heires and successors xx. li. as was contained in the said second writ of Capias. And the Sherif or other Officer to whom the said third writ of

x. li. forf. for
not appearing
vpon the first
Capias.

2. Capias.

3. Capias.

Capias

Excommunication.

Capias shalbe so directed, shal serue & execute the said third writ of Capias in such like maner and forme, as befoze in this Act is expressed & declared for the seruing and executing of the said first and second writs of Capias. And if the Sherif or other officer, to whom the execution of the said third writ shall appertain, do make returne of the said third writ of Capias, that the party vpon such proclamation hath not yeelded his bodie to prison, according to the tenor thereof: Then euery such party for euery such contempt & default, shal likewise forf. to the Q. her heires and successors other xx.li. which summe of xx.li. shall likewise be estreated into the Exchequer, in maner & forme aforesaid. And thereupon the said Iustices of the K. Bench, shall likewise award forth one writ of Capias against the said party with like proclamation and like paine of forf. of xx.li. And also the said Iustices shall haue authoritie infinitely to award such proces of Capias with such like proclamation and pain of forf. of xx.li. as is befoze limited, against the said partie that so shal make default in yeelding of his bodie to the prison of the Shirif, until such time, as by returne of some of the said writs befoze the said Iustices, it shall and may appeare, that the said party hath yeelded himselfe to the custodie of the said Sherif or other Officer, according to the tenor of the said proclamation. And the party vpon euery default and contempt, by him made, against the proclamation of any of the said writs so infinitely to be awarded against him, shall incur like paine and forf. of xx.li. which shall likewise be estreated in maner and forme aforesaid. 5. Eliz. 23.

Capias infinite.

The offender
yeelding his
bodie.

4 When any person or persons shall yeeld his or their bodie or bodies into the hands of the Sherife or other Officer, vpon any of the said writs of Capias, Then the same party or parties that shal so yeeld them selues, shall remaine in the prison & custodie of the said Sherif or other Officer, without bayle, baston, or mainprise, in such like maner & forme to all intents & purposes, as he or they should or ought to haue done, if he or they had bin apprehended and taken vpon the said writ of Excommunicato capiendo. 5. Eliz. 23.

The Bishops
authoritie.

5 Sauing and reseruing to all Archbishops, and Bishops, and all others hauing authoritie to certifie any person excommunicated, like authoritie to accept & receiue the submission & satisfaction of the said person so excommunicated, in maner & forme heretofore vled, and him to absolue & release, & the same to signifie, as heretofore it hath bin accustomed to the Queene her heires & successors, into the Chauncery, & thereupon to haue such writs for the deliuerance of y^e said person so absolued & released, from the Sherifes custodie or prison, as heretofore they or any of them had, or of right ought or might haue had: any thing in this stat. &c. 5. Eliz. 23.

Proces out of
liberties, where
the Queenes
writ runneth
not.

6 Provided alwayes, that in Wales, the Countie palantines of Lancaster, Chester, Durham, & Ely, and in the Cinque Ports, being iurisdiccions & places exempt, where the Q. writ doth not run, and processe of

of Capias from thence not returnable into the K. Bench, after any Significavit being of record in the Chauncery, the tenor of such Significavit by Mittimus, shall be sent to such of the head Officer of the said Countrey of Wales, Countie palantines and places exempt, within whose offices, charge, or iurisdiction the offenders shall be resiant: that is to say, to the Chaunceloz or Chamberlaine for the said County palantine of Lancaster and Chester, And for the Cinque ports to the L. Warden of the same, And for Wales & Ely and the County palantine of Durham, to the chiefe Justice or Justices there. And thereupon, euery of the said Justices & Officers to whom such tenor of Significavit with Mittimus shalbe directed & deliuered, shall haue power and authoritie to make like processe to the inferior officer & officers to whom the execution of processe there doth appertaine, returnable before the Justices there, at their next Session or Courts, two moneths at the least after the Teste of euery such processe: So alwaies, as in euery degree, they shall proceed in their Sessions and courts against the offenders, as the Justices of the K. bench are limited by the tenor of this Act, in Terme times to do and execute. 5. Eliz. 23.

7 Provided also, that any person, at the time of any proces of Capias afore mencioned, awarded, being in prison, or out of this Realme in the parties beyond the sea, or within age, or of Non sanæ memoriæ, or woman covert, shall not incur any of the paines or forfeitures afore mencioned, which shall grow by any returne or default hapning, during such time of nonage, imprisonment, being beyond the sea, or Non sanæ memoriæ. And that by vertue of this stat. the party griued, may pleade euery such cause or matter in barre, of and vpon the distresse, or other proces that shall be made, for leuying of any of the said paines or forfeitures. 5. Eliz. 23.

8 And if the offender against whom any such writ of Excom. cap. shalbe awarded, shal not in the same writ of Excom. cap. haue a sufficient and lawfull addition, according to the forme of the stat. of An. 1. H. 5. in cases of certaine suits, whereupon proces of Exigent are to be awarded: Or if in the Significavit it be not contained, that the Excommunication doth proceed vpon some cause or contempt, of some original matter of heresie, or refusing to haue his or their child baptized, or to receiue the holy Communion, as it is now commonly vsed to be receiued in the Church of England, or to come to diuine seruice now commonly vsed in the said Church of Eng. or error in matters of religion or doctrine now receiued & allowed in y^e said church of Eng. Incontinencie, Usurie, Symony, Periurie in the Ecclesiastical court, or Idolatry: that then all & euery pains & forfe. limited against such persons excommunicate by this stat. by reason of such writ of Excom. cap. wanting sufficient addition, or of such Significavit, wanting all the causes afore mencioned, shalbe vtterly void in law, and by way of plea to be allowed to the party griued. 5. Eliz. 23.

9 And if the Addition shalbe with a Nuper, of the place: then in euery such

Certain persons discharged of the penaltie.

Addition.

Causes of Excommunication.

Addition with a Nuper.

Excommunication. Exception. Execution.

Such case at the awarding of the first Capias with proclamation according to the forme afore mencioned, one writ of Proclamation (without any paine expresse) shalbe awarded into the Countie where the offender shalbe most commonly resiant at the time of the awarding of the said first Capias, with paine in the same writ of proclamation, to be returnable the day of the returne of the said first Capias with pain & proclamation thereupon, at some one such time & court, as is prescribed for the proclamation vpon y^e said first Capias with pain. And if such proclamation be not made in the County where the offender shalbe most commonly resiant in such cases of additions of nuper: then such offender shal sustaine no pain or forfe. by vertue of y^e stat. for not yelding his or her body according to the tenor afore mencioned: any thing before specified &c. notwithstanding. 5. El. 23.

1 Excommunication for smiting, or laying violent hands in a Church or Churchyard. S. Fighting 3. 4.

2 Excommunication for disobeying the sentence of an Ecclesiasticall Iudge in causes of Tithes. S. Tithes 35.

3 That in the writ of Excommunicato capiendo there shall be an addition of the def. name. S. Addition 2.

4 What the Sherife shall forfait which maketh an vntrue returne vpon an Excommunicato capiendo. S. Returne of Sherifes 9.

5 That Excommunication in the plaintife or demaundant in Attaine is a void plea. S. Attaint 3.

Exception.

When any that is impleaded before any Iustices, doth alledge an exception, praying that the Iustices will allow it, which if they will not allow, if he that alledged the exception, do write the same exception, & require that the Iustices will put to their Seales for a witnesse, they shal so do, and if one wil not, an other of the company shall. And if the Queene vpon complaint made against the Iustices, cause the Record to come before her, and the same exception be not found in the Roll, and the plaintife shew the exception written vnder the seale of a Iustice, the Iustice shalbe commaunded to be ready at a certain day, either to confesse, or denie his seale. And if the Iustice cannot deny his seale, they shall proceede to Iudgement, according to the same exception, and after, as it ought to be allowed or disallowed. West. 2. 13. Ed. 1. 30.

Execution.

When a debt is recovered or confessed in the D. Court, or damages awarded, it is in his electiō which doth pursue for such debt or damages, to sue a writ of Fieri fac. that is, that y^e Sherif shal leuy so much of the lands & chattels of y^e debter, or els an Elegit, v^z. that the Sherif shal deliver vnto him al y^e goods & chattels of the debter (sauing his oren & beasts of his plough) & the one halfe of his lands, vntil the debt be leuied vpon a reasonable price & extent, & if he be put out of y^e same lāds, he shal recover

by

Execution by
Fieri facias, or
Elegit.

by assise of No. diff. & after by a writ of Rediff. if need be. *M. 2. 13. E. 1. 18*

2 There shalbe no proces awarded by summons, attachment, essoin, view of land, and other solemnities of those things which be recorded before the Chancelor or Justices, and inrolled in the Rolls, as is used in bargaines and covenants made out of the Court, But those things which be found inrolled before the, which haue Record, or contained in any fines, whether they be contracts, covenants, obligations, seruices or customes knowledged, or any other thing inrolled, wherein the D. Court wout offence of law & custome, may execute their authority, be of that force, that it shall not be needfull to pleade for them. But if the knowledge be new, or the fine leuied within a peere, the plaintiff shall haue a writ of Execution. And if the cognisance or fine haue bin of long time, a Scire fac. shall be directed to the Sherif to warne the party, against whom the complaint is made, to appeare before the Justices at a certaine day, & shew why execution should not be made of that which is inrolled or contained in the fine. And if he appeare not at that day, or do appeare, & can shew nothing why execution should not be awarded, the Sherif shall be commanded to execute the things inrolled or contained in the fine. And in like sort shall the Ordinarie be commanded, in his case where, &c. *West. 2. 13. Ed. 1. 45.*

3 If any such lands, tenements or hereditaments, as shalbe had and deliuered to any person in Execution vpon a Iudgement giuen for him, of his debt or damages vpon a statute Merchant, stat. of the Staple, or recognisance to him before made or knowledged, or vpon any lawfull title or cause wherewith the said lands &c. were liable & bound, at such time as they were deliuered & taken into execution, shall happen to be recouered, lawfully deuested, taken or euicted, from the possession of any such person as shall haue the same in execution, without any fraud or other default of the said Tenant by execution, before the said Tenant, his executors, or assignes shall haue leuied or receiued the said whole debt & damages, for the which the said lands &c. were deliuered & taken in Execution: Then euery such Recouerer, Obligee, and Recognisee, shall and may haue and pursue a writ of Sci. fac. out of the same Court, from whence the said former writ of Execution did proceede, against such person or persons, as the said writ of Execution was first pursued, their heires, executors, or assignes, of such lands, tenements or hereditaments, as were or bin then liable to the said execution, returnable into the same Court at a certaine day being full xl. daies after the date of the same writ, at which day if the def. (being lawfully warned) make default, or appeare, and do not shew & pleade a sufficient cause, other then the acceptance of the said lands, &c. by the said former writ of Execution, to barre or discharge y^e said suit, for the residue of the said debt & damages remaining unleuied or unreceiued by the said former execution: Then the L. Chancelor, or other such Justice or Justices before whom such writ of Sci. fac. shall be returnable, shall make est-
A remedie for the Cognisee where lands deliuered him in execution be recouered.
soones

Execution. Executors.

soones a new writ or writs out of y^e said former Record of iudgment, stat. Marchant, stat. Staple, or Recognisance, of like nature & effect, as the said former writ of execution was, for the leuying of y^e residue of al such debt & damages, as then shall appeare to be vnleuied, vnsatisfied, or vnpaid of the whole summe in the said former writ of Execution contained. 32. H. 8. 5.

Executors.

*A remedy for
Executors for
things done in
the life of the
Testator.*

Executors shal haue a writ of Accompt, and like action & proces in the same writ, as their Testator should haue had if he had liued. 21. 2. 13. E. 1. 23. And Executors shal haue an action of trespass against trespassors for a trespass done to their testator of the goods & cattels of y^e same testator caried away in his life time, and shal recouer their damages in such maner as he whose Executors they be, should haue done if he had liued. 4. E. 3. 7.

*Executors of
Executors.*

2 Executors of Executors shall haue an action of Accompt, of debt, and of goods taken away of the first Testators, and execution of statutes Marchants and Recognisances knowledged in Court of Record to the first Testator, in the same maner as the first Testator should haue had, if he had liued. And the same Executors of Executors shall answer other men so much, as they haue recouered of the goods of the first Testators, as the first Executors should haue done if they had liued. 25. Ed. 3. 5.

*Part of the
executors may
sell the land de-
uisid to be sold.*

3 Where part of the Executors named in any testament of any person making any Will of any lands, tenements or other hereditaments, to be sold by his executors after the death of any such testator, do refuse to take vpon him or them, the administration & charge of y^e same testament, wherein they be so named to be executors, & the residue do take vpon them the charge of the same testament: then all bargains and sales of such lands &c. (so willed to be sold, by the executors of any such Testator) made by him or them only, of the said executors, that so doth take vpon him or them, any such cure or administration of any such Will, shal be as good & effectual in the law, as if also the residue of the same executors, named in y^e said testament had ioined with him or the in the making of the bargaine & sale of such lands, tenements, or other hereditaments so willed to be sold, by the executors of any such testator which shal make such Will. 21. H. 8. 4.

*Fourcher by
Essoine.*

4 In a writ of Debt broughe against diuers Executors, they shall not fourch by Essoine befoze apparance nor after, so that they shall haue but one Essoine, as their Testator should haue had. And the Executor or Executors, which doe first appeare at the grand distresse returned, shall answer the plaintife, and if iudgement passe for the plaintife, the iudgement and execution shall be against them which haue pleaded, and all the residue named in the writ, of the goods of the Testator, as if they had all assented to pleade. 9. Ed. 3. 3.

*The Executor
which first ap-
peareth shall
answer.*

1 How Executors shall recouer Rents due in time of their Testator.
S. Rents 1.

2 That

2 That the fathers Executors be bound to satisfie the daughter of said receiued. S. Aid &c. 1.

3 That executors may maintaine a writ of Idemptitate nominis. See Sherifes 23.

4 That Ordinaries shal answere as Executors as farre as the goods wil extend. S. Ordinarie. 1.

5 That the money or profit of lands willed to be solde, shal nor be taken as any of the goods of the Testator. S. Probate. &c. 8.

6 What Executors or others shal pay to the Ordinarie for the probate of Testament. S. Probate 1. 2. 3.

7 Where the heire being charged, shal haue remedy against his Aunccestors executors. S. Accomptants to the Queene 27.

8 Where the Executors of the King or Queene of this Realme, and where the heire shal haue the specialties not payd &c. S. Accomptants to the Queene 2.

9 That the Queene may charge the heire or Executors of her dettor. See Accomptants to the Queene 6.

Exemplification.

EUery patentee, his heires, successors, executors, & assignes, and euery other person hauing by, from, or vnder his or their title, any estate or interest of, in, or to lands, tenemēts, hereditaments or other thing whatsoever to such patentee heretofore graunted by any letters Patents by any King or Queene of this Realme at any time since 4. Februarij Anno 27. H. 8. or hereafter to be graunted by the Queenes Maiestie, her heires or successors, shal and may at all times in the Queenes Courts &c. and else where, make and conuey to & for himselfe such claime or title by way of declaration, plaint, barre, auowry, replication or other pleading whatsoever, as well against the Queene &c. & euery other person for or concerning the lands, hereditaments, or other thinges contained in such letters Patents, or for, or concerning any part thereof, by shewing forth an Exemplification or Constat vnder the great Seale of England, of the inrolment of the same letters Patents, or of so much thereof as may serue to, or for such title, claime, or matter (the same letters Patents then remaining in force not lawfully surrendred nor cancelled) for & concerning so much, & such part of such lands &c. whereunto such title or claime shall be made, as if the same letters Patents were pleaded and shewed forth. 13. Eliz. 6. 3. Ed. 6. 4.

Exemplification of the Queenes letters patents.

1 That no Fines or Recoueries shalbe amended after Exemplification thereof. S. Fines 28. 37.

2 Exemplification of Records in Wales. S. Wales 20.

3 That Exemplification of proces & Returnes shalbe of as good force as if they were extant. S. Accomptants &c. 59.

Exigent and Outlawrie.

Exigent in
trespasse con-
tra pacem.

No pardon of
outlawrie with-
out agreement
with the plain-
tife.

No pardon of
outlawrie be-
fore the party
doth yeeld him-
selfe to prison.

Outlawrie de-
feated by im-
prisonment.

Proclamati-
ons awarded
into a foraine
Countie.

NO Exigent shalbe awarded, where a man is indicted of trespass, (ex-
cept it be against the peace.) 18. Ed. 3. 5.

2 Where the plaintife doth recouer damages, & he against whom the
damages be recouered is Outlawed at the Queens suit, no charter of par-
don shall be graunted of his Outlawrie (except the Chaunceloz of Eng-
land be certified that the plaintife is agreed withall for his damages,) 5.
Ed. 3. 12.

3 Where a man is outlawed by proces before he doth appeare, no char-
ter of pardon shalbe graunted, except the Chaunceloz be certified that he
which is outlawed hath yeelded himselfe to prison before the Iustices of
the court from whence y^e Exigent was awarded, that is, if from the kings
Bench, then he shall render himselfe to the same Court, if from the comon
Pleas, then he shall render himselfe thither, and if from Iustices assigned
to heare and determine, sitting the same Iustices, he shal yeeld himselfe be-
fore them, & if they be risen, then he shall yeeld himselfe in the kings bench
before the Iustices, and the record and proces shalbe remoued before them
by writ. And the Iustices before whom they shall so yeeld themselves, shal
cause the plaintife to be warned to be at a certaine day before them, at
which day if the warning be duely witnessed or certified, and the plaintife
do appeare vpon the same warning, then they shall plead vpon the first ori-
ginall writ, as though no Outlawrie had bin pronounced, and if the plain-
tife come not, he that is outlawed shalbe deliuered by vertue of his char-
ter. 5. Ed. 3. 12.

4 If any man will defeat an outlawrie pronounced against him, by
reason of imprisonment certified by the Sherife or others which haue no
Record, he shall yeeld himselfe to prison, & then the Iustices of the Kings
bench shal cause the party to be warned, at whose suit that outlawrie was
pronounced, to be before them at a certaine day, at which day if the partie
will auerre, that the certificat is untrue, his auerment shalbe receiued, And
in like maner shall the Queenes Serieant or Atturney, or any other that
will sue for the D. be receiued to haue such auerment against such certifi-
cat, where the Outlawrie is pronounced at the D. suit, 5. Ed. 3. 13.

5 If, and where a writ of Exigent shall be awarded at the suit of the
Queene, or any other plaintife in any action personal against any person,
called of any Shire or city, being a Shire corporat of it selfe, or else late of
any such Shire or Citie, other then into such Shire or Citie, whereunto
such Exigent shalbe awarded to be called according to the Law, and also
in euery writ of Exigent in any action personall, whereof the Proces or
Exigent shall be directed into London or Middlesex, the defendant being
called late of London, or late of Middlesex, and at the time of the Exigent
awarded, not dwelling in London nor in Middlesex, or else that the
said defendant or defendants in the same Exigent dwell in any other
Shire or place, then where the Queenes Writ runneth, then the Iusti-
ces

ces before whom any such Exigent is to be awarded, in all actions where the Exigent shall not be directed into London or Middlesex, shall award a writ of Proclamation to be directed to the Sherife of the same County, where it doth appeare by the using of such action that the partie defendant is, or lately was dwelling, if the Queenes Writ there be currant, or else to the next Shire adioyning to the Countie or Counties, or other places whereof the partie is called or lately supposed by the sayd Exigent to haue his being, where the Queenes Writ so runneth not, and in euery action whereof the Exigent shalbe directed into London or Middlesex, and the defendant in the same called late of London or Middlesex, and at the time of the Exigent awarded not dwelling in London or Middlesex, Then the writ of Proclamation shalbe directed vnto the Sherife of the Shire where the defendant at the time of the Exigent so awarded shal haue his dwelling, or in case where the Queenes writ runneth not, vnto the next Shire thereunto adioyning, the which said writ of Proclamation shal containe the effect of the same action, and the Sherife of the Countie to whom any such writ of Proclamation shalbe directed, shall make three Proclamations within his County at three seuerall daies, viz. two in the full Shire Court of the same Countie, & the third at the general Sessions in those parties, where the partie defendant is supposed to be dwelling, or in the parties of the Countie next adioyning to the countie or counties where the Queens writ runneth not, that the partie defendant yeeld himselfe to the Sherife of the foraine countie, to whom any such Exigent in any action personal is awarded, so that the Sherifs of such foraine countie may vpon his yeelding, haue his body before the Iustices, before whom any such Exigent is awarded at the day of the same Exigent comprised, there to answer to the plaintife in the same according to the Law. And euery such writ of Proclamation shall haue the same day of returne, as the writ of Exigent vpon such foraine actions so awarded shall haue, & euery such writ of Proclamation shall be deliuered of Record to the Sherife or deputie of the Countie into the which any such writ of proclamation is to be awarded, and the Sherife of the same Countie shall duely execute the same, and thereof make true returne at the day of the same writ appointed, vpon paine to forfeit such amercement vnto the Queene and her heires, as by the Iustices before whom such Exigent shall be returnable shall be set. And the Officer in whose Office such Exigent is taken, shall make out the said writ and writs of Proclamation as shall be awarded in any of the said Courts, and shall take no more for the making of any such writ, & the entring of the same of Record, but onely vi. s. And if any Outlawrie be had, or promulged against any person in any action personall in any foraine countie, & no writ of Proclamation (as is aforesaid) awarded & returned, then euery such Outlawrie shall be vtterly void. And all Outlawries had contrary to this Act shalbe auoided by Auerment, with-

Proclamations where the party is dwelling in a Countie Palantine.

3. Proclamations.

The Proclamation shall be deliuered to the Sherife of record.

Outlawry auoided by auerment.

out suing of any writ of Error. 6. H. 8. 4. S. Indictment 2. 3.

Exigent against
any person
dwelling in
Wales or in
Lancastershire,
Cheshire or
Chester.

6 Whensoeuer any writ of Exigent shall be awarded at the suit of the
D. or any other person plaintife in any action or suit in the Kings Bench
or common plees, against any person dwelling in any of the xii. Counties
in Wales, or in any of the counties palantine of Lancaster, Chester, or the
Citie of Chester, then immediatly vpon the awarding of enery such Exi-
gent, the Iustices befoze whom any such Exigent shalbe sued &c. haue au-
thority to award one writ of Proclamation, according to the tenor & effect
of Proclamations awarded vpon Exigents directed out of any of the said
Courts into London, or into any other shires within this Realme, against
any other person dwelling in any other Shire where the Queenes writ is
currant, according to the order & forme of the foresaid statute, 6. H. 8. to be
directed to such of the Sherifes of any of the foresaid counties in Wales,
& of Lancaster, Chester, & of the citie of Chester, where it shall happen the
said defendant against whom the said action shalbe sued, to be dwelling.
(But of the writs directed to the Sherife of the countie of Lancaster, none
shalbe directed to the Sherife of any other countie next adioyning, accor-
ding to the foresaid statute of 6. H. 8. 5. C. 6. 26.) And euery such writ of
Proclamation shall haue the same Teste, and day of returne as the Exi-
gents, whereupon euery such writ of Proclamation shalbe awarded shall
haue, & euery Sherife to whom any such writ of Proclamation shalbe di-
rected, shal make Proclamation of the said writ of Proclamation, accor-
ding to the tenor of the same, & shal make true returne of the same in such
Court, & befoze such Iustices, as the tenor of the same writ shall require.
And all Outlawries pronounced or promulged against any person vpon
any such Exigent awarded against any person dwelling in any of the said
Counties, and no writ of Proclamation awarded in forme abouesaid to
the Sherife of the County, where the party defendant shall be dwelling,
or not returned, shall be void, 1. Ed. 6. 10. 5. C. 6. 26.

These Sherifes
shal haue de-
puties in the
common place
and Kings
bench.

7 Euery Sherife of euery of the said Counties of Wales, and of the
Counties Palantine of Lancaster, Chester, & of the Citie of Chester, shall
haue in euery of the Courts of the Kings Bench, and Common plees, one
sufficient deputie at the least, to receiue al writs directed to such Sherife,
for whom the same deputie or deputies shalbe appointed, in like maner &
forme, and vpon like paines, as by the lawes and statutes of this Realme
other Sherifes of other shires, within this Realme of England be bound
to haue in either of the same Courts. And all writs of Proclamation shall
be deliuered vnto euery such deputie of Record, in the same Courts: And
also like fees shalbe paid for making euery such writ of Proclamation, &
for the inrolling of the same of record, as is befoze limited in the statute of
6. H. 8. 1. C. 6. 10. 5. C. 6. 26. 23. H. 6. 10. S. Sherifes 10. Wales 49.

The Sherifes
for. for not re-
turning a writ
of proclamatio.

8 If any such writ of Proclamation directed to any of the Sherifes of
any of the said xii. Shires in Wales, or Counties Palantine &c. be deli-
uered

uered to any of the said Sherifes, or to his deputie, and the same Sherife doe not make true returne thereof into such Court, out of the which the said writ of Proclamation shalbe awarded, he shal forfe. for euery default of Non returne to the D. & J. v. li. to be recovered by action of debt, wherein no M. & C. E. P. & C. I. Ed. 6. 10. 5. Ed. 6. 26.

9 If any person dwelling in any of the said counties in Wales, shalbe outlawed in any suit or action aforesaid, then writs of special Capias vt-lagatum, single Capias vt-lagatum, Non molestandum, and all other proceses for and against any person outlawed, shall and may be directed to the Sherife of any of the said Counties in Wales, as immediat officers of the Courts of the Kings Bench or Common pleas in that behalfe. And euery such writs may be deliuered of record to the deputie of such of the said Sherifes, to whom any such writ or proces shall be directed. And euery such Sherife shall make execution and returne of euery such writ or proces to him directed, vpon paine of forfe. to the Queene and her heires such amerciaments, as by the discretion of the Iustices befoze whom such writ shal be returnable shalbe set, I. Ed. 6. 10.

Proces against persons outlawed.

10 If any person dwelling in the countie Palantine of Lancaster, shal be outlawed in any such suit or action, as is aforesaid, then all writs of speciall Capias vt-lagatum, single Capias vt-lagatum, Non molestandum, and all other proceses for, or against any person so outlawed, shal and may be directed to the Chauncelloz of the Duchie of Lancaster, who shal make like writs & proces thereupon, and of like effect, sealed with the Seale of the said Countie Palantine of Lancaster, to be directed to the Sherife of the said Countie Palantine for the time being, as it hath bin vlsed in such cases. 5. Ed. 6. 26.

Proces directed to the Chancellor of the Duchie.

11 But these two statutes, nor any thing in them contained shall extend, or be preiudicial to any Lord Marcher in Wales, nor to any of their heires, nor to the said xii. Counties of Wales, nor to the said Counties palantine of Lancaster, Chester or the Citie of Chester, concerning such Liberties, franchises, or Priuiledges as belong to any of them, nor to any Ministers or officers of any of them, in other maner then by the true meaning of these Acts is declared. I. Ed. 6. 10. 5. Ed. 6. 26.

12 No Exigent shalbe awarded by the Iustices within the Counties Palantine of Lancaster or Chester, or the Bishopricke of Durham, against any person vpon any information, suit, or proces, to be made by force of the statute prouided 8. Ed. 4. against giuing of Lueries or Badges and retaining. And if any Exigent be awarded, & Outlawrie thereupon pronounced, then the same shall be void, without any suit by writ of Error or otherwise, 8. Ed. 4. 2.

Exigent vpon the statute of lueries.

13 In euery action personall, wherein any writ of Exigent shall be awarded out of any Court, one writ of Proclamation shall be awarded and made out of the same Court, hauing day of Teste and returne, as the said

Proclamation in personall actions.

Three Proclamations.

Writ of Exigent shall haue, directed and deliuered of record to the Sherife of the Countie, where the defendant, at the time of the Exigent so awarded, shall be dwelling, which writ of Proclamation shall containe the effect of the same action. And the Sherife of the countie, vnto whom any such writ of Proclamation shall be directed, shall make three Proclamations in this forme following, and not otherwise: that is to say, one of the same Proclamations in the open Countie court, one other of the same proclamations, at the general quarter Sessions of the peace in those partes where the party defendant, at the time of the Exigent awarded shall be dwelling: And one other of the same Proclamations shall be made (one moneth at the least before the quint. exact, by vertue of the said Writ of Exigent) at, or neere the most blual dooze of the Church or chappel of that towne or parish, where the defendant shall be dwelling at the time of the said Exigent so awarded. And if the defendant shall be dwelling out of any parish, then in such place as aforesaid, of the parish in the same Countie, & next adioyning to the place of the defendants dwelling, and vpon a Sunday immediatly after Diuine Seruice, & Sermon, (if any Sermon there be) & if no Sermon there be, then forthwith after Diuine Seruice. And all Outlawries had & pronounced, and no writ of Proclamations awarded & returned according to the forme of this Statute shall be utterly void and of none effect. And the Officer in whose Office such writs of Exigent & Proclamations shall be made, shall & may take such Fees, as by the Statute made 6. H. 8. (S. 5. is limited and appointed in that behalfe, & no greater Fees in any wise. And the Sherife for making of the Proclamation at or neere to the Church or chappel dooze as is aforesaid, shall haue
 xii. d. 3 l. Eliz. 3.

The defendant vpon a writ of Error, bound to answer the plaintife, and to satisfie the condemnation.

14 Before any allowance of any writ of Error, or reuerling of any outlawry be had, by Plea or otherwise, through, or by want of any proclamation to be had & made, according to the forme of this Statute, The defendant & defendants in the original action, shall put in Baile, not onely to appeare, & answer to the plaintife in the former suit, in a new action to be commenced by the said plaintife, for the cause mentioned in the first actio, but also to satisfie the condemnation, If the plaintife shall begin his suit before the end of two Termes next after the allowing of the writ of Error, or otherwise auoiding to the said Outlawrie, 3 l. Eliz. 3.

A writ of Proclamation vpon an Exigent against any person dwelling in the Bishopricke of Durham.

15 Whensoever any writ of Exigent shall be awarded at the suit of the Queene, her heires or successors, Kings or Queenes of this Realme, or at the suit or suites of any other person or persons, plaintife or plaintifes, in any action or suit in any of the Courtes of the Kings Bench, or Common place, against any person or persons, dwelling within the Bishopricke of Durham, Then immediatly vpon the awarding of euery such Exigent, the Iustice or Iustices before whom any such writ of Exigent vpon such suit or action shall be sued, shall haue authoritie by vertue
 of

of this Act, to awarde one writ of Proclamation, according to the tenor and effect of Writs of Proclamation awarded vpon Exigentes (and commonly directed out of any of the said Courtes into London, or into any other Shires of this realme, against any other person or persons, dwelling in other Shire or Shires of this Realme where the Queenes Writ doth runne, according to the order and forme of the Act made 6. Hen. 8.) to be directed to the Bishop of Durham for the time being, and during the vacation of the Bishopricke, then to the Chauncelloz of the said Bishopricke, or Countie Palantine, for the time being, where it shall happen the said Defendant, against whom any such Action shall bee sued, as is aforesaid, to bee dwelling, and not to the Sherife of anie other Shire next adioyning to the said Bishopricke, or Countie Palantine, (anie Lawe, Custome, or Usage, heretofore vled to the contrarie, notwithstanding.) And euery such Writ of Proclamation so to be hereafter awarded, to such Bishop, or Chauncelloz of the said Bishopricke, or Countie Palantine, shall haue the same Teste, and day of returne, as the Exigents, whereupon euery such Writ of Proclamation shall bee awarded, shall haue. And euery such Bishop, or Chauncelloz, to whom anie of the said Writ or Writs of Proclamation shall be directed, shall by his or their Mandat, directed to the Sherife of the said Countie Palantine, cause Proclamation to be made of the same Writs of Proclamation, according to the tenour of the same, and shall make true Returnes of the same, in such Court and Courtes, and before such Iustices, as the tenour of the same Writ and Writs of Proclamation shall require and demaund. And all Outlawries hereafter to be promulged, or pronounced against any person or persons vpon any such Exigent, or Exigents awarded against any person or persons dwelling within the said Bishopricke, or Countie Palantine, and no Writs of Proclamation awarded in forme aforesaid to the Bishop, or Chauncelloz aforesaid, where the partie defendant shall be, as is aforesaid dwelling, or not returned as aforesaid, shall be cleerely void, and of none effect nor force in the Lawe, 31. Eliz. 9.

16 Euery Bishoppe of the said Bishopricke, for the time being, and during the vacation of the said Bishopricke, the Chauncelloz of the said Countie Palantine for the time being, shall haue in euery of the said Courts of the Kinges Benche, and Common Pleas, one sufficient Deputie at the least, to receiue all such Writs of Proclamations, which shall bee hereafter directed to euery such Bishop or Chauncelloz of the said Bishopricke, or Countie Palantine, for whom the same Deputy, or Deputies shall be appointed, in like manner and fourme, and vpon like paines, as by the former Statutes and Lawes of this Realme, the Sherifes of other Shires, or Counties within this Realme of England, be bound to haue in either of the same Courts. And all such writs of Pro-

The Bishop
of Durham
shall haue a
deputie in cer-
taine Courts.

Exigent and Outlawrie.

clamation as aforesaid shalbe deliuered vnto euery such Deputie or Deputies of Record in the same Courts and either of them, and also the like fees shall be paid for making of euery such writ of Proclamation, and for inrouling the same of Record, as is limited in the same Statute made 6. H. 8. 31. Eliz. 9. See 5.

The penaltie, if the Bishop or Chaunceloz doe not returne the proclama- tion.

17 If any such writ or writs of Proclamation, directed to the Bishop or Chaunceloz of the said Bishopricke or countie Palantine, be deliuered vnto any of the said Bishops for the time being, or (during the vacation of the said Bishopricke) to the Chaunceloz of the said countie Palantine for the time being, or to his or their deputie or deputies in maner & forme aforesaid, & the same Bishop for the time being, or during the vacation of the said Bishopricke, the said Chaunceloz of the said Countie Palantine for the time being, doe not make true returne of euery such writ and writs of Proclamation to them directed, into such court & courts, out of which the said writ or writs of Proclamation shal be awarded: For euery such default of Non returne, euery such Bishop for the time being, and (during the vacation of the said Sea) the said Chaunceloz for the time being so failing to make due returne, shal forfe. v. li. to the Q. & J. to be recovered by A. of debt to be grounded vpon this Act wherein no E. 12. & c. 31. Eliz. 9.

Prouision for the Bishops liberties.

18 This act shall not extend or be prejudicial to any Bishop of the said Bishopricke of Durham, for or concerning such Liberties, Franchises, or Priuiledges, as belong to the same Bishops Bishopricke or Sea, or to any Ministers or Officers of the same Bishopricke or county Palantine, otherwise, or in any other maner, then by the true meaning of this Act is before provided or declared: Any thing in this &c. notwithstanding. 31. Eliz. 9.

To whom writs of Outlawrie &c. shall be directed against any person within the Bishopricke.

19 If any person or persons dwelling within the said Bishopricke, or countie Palantine, shall be Outlawed in any suit or action, wherein Proces of Outlawrie doth lie, Then all Writs of special Capias vtlagatum, single Capias vtlagatum, Non molestandum, and all other Processe, for, or against any person or persons so Outlawed, shall and may from henceforth be directed from time to time, to the Bishop of the said Bishopricke and countie Palantine for the time being, and (during the vacation of the said Sea) to the Chaunceloz there for the time being, who shall make like writs and Processe thereupon and of like effect, sealed with the seale of their said Offices, to be directed to the Sherife of the said countie Palantine for the time being, as heretofore hath bin vsed and accustomed in such cases, 31. Eliz. 9.

One fee for the proclamation & mandat.

20 Upon any Writ of Proclamation to be awarded by vertue of this Act, and the Mandat thereupon to be made to the Sherife, and the execution thereof, there shall be but one onely fee taken, receiued, or demanded for the same, by the said Bishop, Chaunceloz, and Sherife of the said countie Palantine for the time being, 31. Eliz. 9.

1 That

1 That no Exigent shalbe awarded against the accessory, vntil the principal be attainted, S. Appales 3.

2 That where an Exigent is to be awarded, there shall be addition to the defendants name, S. Addition 1.

3 That proces of Outlawrie awarded against offenders in Treason being out of this Realme, shalbe good, S. Treason 11.

4 Where one that is supposed to be outlawed, shal auoid the seisure of his lands & goods by entring into band to the sherife &c. to answer the Queene &c, S. Sherifes 23.

5 That the indietee shall forfeit his Cattels by Exigent against him awarded, S. Indict. 5.

6 Where an Exigent shalbe awarded against an Accomptant. S. Accompt 2.

7 That Outlawrie of the plaintife in Attaint in a personall Action or cause is no plea, S. Attaint 3.

Extortion. Exaction.

IF any Sherife, Coroner, or other Officer of the Queenes, doe take any thing to do his office, but onely that which the Queene alloweth him, he shal render double to the party, and shalbe punished at the Queenes pleasure, West. 1. 3. Ed. 1. 29.

2 If the Sericant, Crier or Marshal of any Iustice doe wrongfully take mony of any which doth recouer land, obtaine his suit, leuie a fine or prosecute any suit touching any plea of the Crowne, he shalbe punished at the Queenes pleasure, & yeld treble damages to the partie grieved. And if he be a Sericant of fee, his Office shall be seised into the Queens hands, West. 1. 3. Ed. 1. 29.

3 For Extortion by the Sherife, Bailife, &c. for arresting, for letting to baile, making of Panels, or granting of Copies, S. Sherifes. 6. 7. 8. 9.

4 For Ex. by Auditors, or their Clerkes, S. Auditors &c. 2.

5 For Ex. by Receiuers or their deputies. S. Auditors 3.

6 For Ex. by them which make dispensations, faculties, licences, or other such instruments. S. Dispensations 1.

7 For Ex. by them which haue spiritual iurisdiction, or any substitute or minister of theirs for Citations, S. Citation 3.

8 For Ex. by the Clerke of the Signet or priue Seale. S. Clerke of the Signet 1.

9 For Ex. of Masters, Wardens of Fellowships or Crafts, vpon any Apprentice, or other whose prentiship is expired, S. Corporations 4.

10 For Ex. by any Coroner, S. Coroner 16.

11 For Ex. by those which haue commissions to leuy musters, or make men serue in the warre, S. Captaines &c. 14.

12 For Ex. by Clerkes of the Eschequer, of any Bishop or other, that hath

Sericeant, Crier,
rr, Marshal.

Sherifes.

Auditors.

Receiuers.

Dispensations.

Judges
Spiritual.

Clerke of the
Signet.

Wardens of
Fellowships

Coroner

Musters
masters.

Clerkes of the
Eschequer.

hath the receipt of Tenths, S. Eschequer 2.

Wales.

13 For Ex. in Wales without the Commissioners consent, See Wales 104.

Wales.

14 For Ex. vpon them which trauaile through Forests in Wales. See Wales 112.

Eschetors.

15 For Ex. by Eschetors, finding Offices of lands, S. Eschetors 3. 9.

Custos breuium.

16 For Ex. in the chiefe Clerke of the Common place, for the entring of the concord of any fine, S. Chirographer 2.

Chirographer.

17 For Ex. in the Chirographer of the Common place, his deputie, or Lieutenant, S. Chirographer 1.

Admiral.

18 For Ex. by the Admirall, or any Officer of the Admiraltie, of any marchant or fisherman for licence, &c. S. Fish. 2.

Wardes.

19 For Ex. by the Officers of the Court of Wardes and Liueries. See Wardes 28.

Officers of Courts.

20 For Ex. by the Officers of any Court which make any writ of proclamation, into a forraine Countie, S. Exigent. 5. 9.

Marshall.

21 For Ex. in the Marshall or any of his Officers. S. Marshall 6.

Officers of Boroughs.

22 For Ex. taken by the head Officers of any Borough of Marchantes, for Scauage and Sewage. S. Marchants 2.

Ordinaries.

23 In what sort Ordinaries shalbe indicted of extortion or oppression S. Ordinarie 2.

Ordinaries.

24 For Ex. by Ordinaries for proouing of willes, or committing of Administration. S. Probate of Testament 12.

Norwich.

25 For Ex. in the Maior, Recorder, Steward, or Iustice of peace in Norwich for admitting any person to occupie the arts of making Hattes, Couerlets, or Dornikss. S. Hattes 3. Couerlets 8.

Recognisance

26 For Ex. for taking, writing, inrolling, or certifying a Recognisance in nature of a statute Staple. S. Statutes 13.

Clerke of the Market.

27 For Ex. by Clerkes of the market, S. Clerke of the Market 1.

First fruits.

28 For Ex. in taking money for Obligations or acquitances, for first Fruits. S. Ecclesiasticall persons 25.

Faires and Markets.

No man shall keepe a faire longer then he ought.

They which haue Faires by Charter or otherwise, shall hold them no longer then they ought to doe, vpon paine of seisure of the same to the Queene, vntill they haue made fine vnto her for the said offence. And euery owner of a faire, shall proclaime at the beginning thereof how long it shall last, and after the said time euery marchant shall shut vp his Booth, and Stall, and if any Marchant doe sell any ware or marchandize at the said faire, after the same be ended, he shal forfeit the double value of that which he hath sold, to the Queene &c. 2. Ed. 3. 15. 5. Ed. 3. 5.

Certaine daies wherein faires and markets may not be kept.

2 If any Faires or Markets be kept vpon good Friday, Corpus Christi day, Ascension day, al Saints day, the day of the Assumption of our Ladie, Whitsunday, Trinity Sunday, or other Sunday (the foure Sundaies in

in Harneſt excepted) and any goods or marchandise in them be ſhewed (neceſſarie vitaille onely excepted) the owners ſhal forſait al their goods ſhewed, to to the Lord of the Libertie, or Franchiſe where ſuch goods contrary to this ordinance ſhalbe ſhewed. But they which haue no power to keepe faire or market but vpon ſuch daies, may keepe it within thre daies before or after any of the ſaid feaſtes, after proclamation firſt made what day the faire ſhalbe holden, 27. H. 6. 5.

3 If any Steward, Underſteward, Bailife, or other officer or miniſter of any Court of Pipowders, pertaining to a faire, will hold plea vpon an action, at the ſuit of any perſon, vnles the plaintife, or his Atturney doe in preſence of the defendanſt ſwear vpon the holy Euangelists vpon his declaration, that the contract or other fact contained in the declaration, was made or committed within the time, iuriſdiction, and bounds of the ſame faire, he ſhall forſait C. s. to the Queene, and him that will ſue by action of debt: for if the plaintife reſuſe the forſaid othe, the def. ought to be diſmiſſed out of the ſame Court, and the plaintife ſhal take his remedy at the Common law &c. But though the plaintife do affirme the ſame, yet the defendanſt ſhal not be concluded, but ſhal anſwere and plead to the action, or in abatement of the plaint, & proffer an iſſue, that the ſame contract, treſpas, or other fact was not committed within the time of the faire, or iuriſdiction of the ſame, but elſewhere &c. But this ſtatute ſhall not preiudice the Biſhop of Durham or his ſucceſſors, within the liberties of his ſaid Biſhopricke 17. Ed. 4. 2. 1. R. 3. 6.

In enery court of pipowders the pl. ſhal be ſworne &c.

4 If the owner, gouernour, farmer, ſteward, bailife, or chiefe keeper of any Faire or Market ouert, where horſes, mares, geldings, and colts haue bin and ſhalbe vſed to be ſold, do not verely appoint one ſpecial open place, within the towne, place, field, or circuit, where horſes, mares, geldinges, or colts ſhall be ſold, and alſo one ſufficient perſon or moze to take tolle, and to continue in the ſame place from ten of the clocke in the forenoone, vntil the Sun be ſet daily, during the continuance of the ſaid faire, he ſhall forſait for euery default xl. ſhillings to the Queene and Inſormer, to be recovered before the Juſtices of peace, or by A. J. &c. wherein no W. &c. E. P. &c. 2. & 3. P. & M. 7.

A place appointed for Horſe faire.

Toll gathered

5 The Tolle gatherer of euery Faire or Market, ſhall take his lawfull Toll for euery horſe, mare, gelding, and colte ſold, exchanged, or put away in the ſaid faire &c. & at the open place appointed for the ſale of horſes, betwixt the houres of ten in the forenoone, and the Sunne ſet, if it be tendered, & at no other time or place, and ſhall haue before him the parties to the bargain, at the taking of the Tolle, and alſo the horſe &c. ſolde, and ſhall write the names, ſurnames, and dwelling places of the parties, & the colour, and one ſpecial marke of the horſe, or els he ſhal forſ. for euery default xl. s. to the Q. and J. to be recovered before the Juſtices of P. or by A. J. &c. wherein no W. &c. E. P. &c. For the ſale of any ſtollen Horſe &c. in a Faire

When, where and of whom, toll for horſes ſhalbe taken.

Faires and Markers.

The vsing of a
stollen horse to
take away the
owners proper-
tie.

A Faire or Market, shall not take away the property from the owner thereof, except the same Horse be openly ridden, led, walked, driven, or kept standing by the space of one houre at the least, betweene ten of the clock in the morning, & the Sun set, in the open place of the Faire, where Horses are commonly vsed to be sold, & not in any house, yarde, backside, or other secret place, and vnesse all the parties to the bargaine being present in the said Faire &c. shall come together & bring the horse so sold, to the open place appointed for the Tolle taker, or booke keeper, & there enter their names and dwelling places, and the colour, and one speciall marke of the Horse, & pay the toll for the same, if any be payable in that Faire, or else the buyer to giue a penie for entring &c. for where Toll is not due by reason of the liberty of any Faire or Market, the keeper of the booke shall not exact aboue a penie for a contract. And if any Horse, Mare, Gelding, or Colt, theeuishly stollen, or taken away, be sold, giuen, exchanged, or put away in any faire or market, and not vsed in all points, as is aforesaid, then the owner thereof may take againe the same, or haue an action of detinue or repleuin for the same Horse &c. 2. & 3. P. & B. 7.

A note of all
Horses sold in
a Faire.

6 The Tolle gatherer or keeper of the booke, shall within one day next after euery faire or market ended, bring and deliuer his booke to the Dw-ner, Steward, Bailife, or chiefe gouernour of the Faire &c. who shall cause a note to be made, of the number of all Horses &c. solde at the said Faire, and shall subscribe his name, or set his marke thereunto. And who so maketh default, shall forfeit for euery offence xl.s. to the D. and J. to be recovered befoze the Iustices of P. or by A. J. &c. wherein no W. &c. C. P. &c. and also shall answere the partie which is griued by his negligence in euery behalfe. 2. and 3. P. & B. 7.

The seller of
the horse must
be knowen.

7 No person shall in any Faire or Market sell, giue, exchange, or put away any Horse, Mare, Gelding, Colt, or Fillie, vnesse the Tolle taker there, or (where no Tolle is paid) the booke keeper, Bailife, or chiefe Officer of the same Faire or Market, shall and will take vpon him perfect knowledge of the person that so shall sell or offer to sell, giue, or exchange any Horse &c. and of his true Christian name, surname, and place of dwelling or resiencie, and shall enter all the same his knowledge into a booke there kept for sale of horses, Or els that he so selling or offering to sell, giue, exchange, or put away any horse &c. shall bring vnto the Toll taker, or other Officer aforesaid of the same Faire or Market, one sufficient and credible person that can, shall, or will testifie and declare vnto, and befoze such Tolle taker, booke keeper, or other Officer, that he knoweth the partie that so selleth, giueth, exchangeth, or putteth away such horse &c. & his true name, surname, mysterie, and dwelling place, and there enter, or cause to be entred in the booke of the said Toll taker, or Officer, aswel the true Christian name, and surname, mysterie, and place of dwelling, or resiencie, of him that so selleth, giueth, exchangeth, or putteth away such Horse &c.

Anouching of a
horse seller.

as of him that so shal testifie or auouch his knowledge of the same person, & shal also cause to be entred the verie true pprice or value that he shal haue for the same horse &c. so sold. And no person shall take vpon him to auouch, testifie or declare that he knoweth the partie that so shall offer to sell, giue, exchange, or put away such horse &c. vntles he doe indeed truely know the same person, and shall truely declare to the Colletaker, or other Officer aforesaid, aswel the Christian name, surname, misterie, and place of dwelling and resiencie of himselfe, as of him, of, and for whom he maketh such testimonie and auouchment. And no Colletaker, or other person keeping any booke of entrie of sales of Horses in Faires or Markets, shall take or receiue any Colle, or make entre of any sale, gift, exchange, or putting away of any horse &c. vntles he knoweth the partie that so selleth, giueth, exchangeth, or putteth away any such horse &c. & his true Christian name surname, misterie, and place of his dwelling or resiencie or the partie that shall and will testifie and auouch his knowledge of the same person so selling, giuing, exchanging, or putting away such horse &c. and his true Christian name, surname, misterie and place of dwelling or resiencie, and shall make a perfect entrie into the said booke of such his knowledg of the perso, ^{that shalbe entred into the Colle booke.} and of the name surname, misterie, and place of the dwelling or resiencie of the same person, and also the true pprice or value that shall be bona fide, taken or had for any such horse &c. so sold, giuen, exchanged, or put away so farre as he can vnderstand the same, and then giue to the partie so buying or taking by gift, exchange, or otherwise, such horse &c. requiring and paying two pence for the same, a true and perfect note in writing, of all the full contents of the same subscribed with his hande, on paine that euery person that so shall sell, giue, exchange, or put away any horse &c. without being knownen to the Colletaker, or other Officer aforesaid, or without bringing such auoucher or witnes, causing the same to be entred as aforesaid, & euery person making any vntrue testimonie or auouchment in the behalfe aforesaid, and euery Colletaker, booke keeper, or other officer of Faire or Market aforesaid offending in the premises, contrarie to the true meaning aforesaid, shal forfeit for euery such def. v. li. But also y^e euery sale, gift, exchange, or other putting away of any horse &c. in Faire or Market, not vled in al points, accordyng to the true meaning aforesaid, shalbe void. The halfe of which forfeit shalbe to the D. &c. and the other to him that will sue for the same before the Iustices of peace, or in any of her Maiesties ordinarie Courts of Record, by A. of debt, B. 12, or J. wherein no E. 12. &c.

That shalbe entred into the Colle booke.

A note in writing deliuered to the buyer.

8 If any horse, mare, gelding, colt or fillie, shalbe stolen, and after shall be sold in open faire or market, and the same sale shalbe vled in all pointes and circumstances as aforesaid, yet neuertheles the sale of any such horse &c. within fire moneths next after the felonie done, shall not take away the proprietie of the owner from whom the same was stolen, so as claime be made

The owner may redeeme his stolen horse within fire moneths paying the price.

Faires and Markets.

made within sixe moneths by the party from whom the same was stolen, or by his executors or administrators, or by any other by any of their appointment at or in the towne or parish where the same horse &c. shall be found before the Mayor, or other head officer of the same towne or parish, if the same horse &c. shall happen to be found in any towne corporate, or market towne, or else before any Justice of the County of that Countie neere to the place where such horse &c. shall be found, if it be out of towne corporate or market towne, and so as proove be made within xl. daies then next ensuing, by two sufficient witnesses to be produced and deposed before such head officer or Justice, (who by vertue of this act, shall haue authoritie to minister any oth in that behalfe) that the p'sperties of the same horse &c. so claimed, was in the party by, or for whom such claime is made, & was stolen from him within six moneths next before such claime of any such horse &c. But the partie from whom the said horse &c. was stolen, his executors or administrators shall and may at all times after, notwithstanding any such sale or sales in any faire or open market, thereof made, haue propriety & power to haue, take again, & enioy the said horse &c. upon payment, or readinesse, or readie to pay to the partie that shall haue the possession and interest of the same horse &c. if he will receiue and accept it, so much money as the same partie shall depose and sweare before such head officer or Justice of peace (who by vertue of this act shall haue authoritie to minister and giue an oth in that behalfe) that he paid for the same bona fide without fraude or collusion, any law, statute &c. notwithstanding. Not onely all accessories before such felony done, but also all accessories after such felony, shall be deprived and put from all benefite of their Clergie as the principall by statute heretofore made, is or ought to be. 31. Eliz. 1. 2. S. Clergie 13. Iustices of peace 105.

Accessories to felony.

A seale for euery faire.

9 S. Statute de Mercatoribus 13. Ed. 1. The Queene shall prouide a seale for Faires, & the same shall be sent vnto euery faire vnder the R. seale, by a Clerke sworn, or by the keeper of the faire.

Churchyards

10 S. Statute Winchester. 13. Ed. 1. 6. faires nor markets shall be kept in the Churchyards, for the honour of the Church.

Londoners may carie their wares to any faire or market

11 Every free man, and citizen of the citie of London, may leade, carie, or go with his victual, ware, or marchandize whatsoeuer it be, to any faire or market within England: any statute or ordinance made or to be made within London, to the contrary notwithstanding. And the said ordinance &c. shall be void, and no person shall be hurt in losing of his libertie by annulling of, or not obeying the same. And if any person doe cause another to be prejudiced by the same, he shall forfeit, to the R. and H. x. li. to be recovered by action of debt. 3. H. 7. 5.

1 Who may buy Cattell only in the Faire & Market, and who elswhere See Cattell 2.

2 That Lordes of Faires and Markets, shall appoint two or three to search

search and seale Leather. S. Leather 25.

3 That the selling of stolen Cattel in a Faire or Market in Wales, shall not alter the propertie. S. Wales 72.

False Iudgement.

NOne (but the Queene) shal hold plea in his court, of false iudgement giuen in the court of his tenants: for such pleas do specially belong to the Queenes Crowne and dignitie. Marleb. 52. H. 3. 20.

Farmes.

If any person do take any seuerall Farmes more then one, of any manors, lands, tenements, parsonages, or tithes within the Isle of Wight, whereof the farme of them altogether shall exceed the summe of x. markes perely, the lessee shall forsaite to the Queene for euery such taking x. pound 4. H. 7. 16.

2 Whosoever doth receiue or take in farme for terme of life, yeres, or at wil, by Indenture, copp of court roll, or otherwise, any moe houses or tenements of husbandry, whereunto any lands are belonging, in towne, village, hamlet, or tithing within this Realme, aboue the number of two such holds or tenements, or hath or occupieth any such holds so newly taken to the number of two, except he be dwelling within the same parishes where such holds be, he shal forsaite to the Q. and J. for euery weeke that he shall haue, occupy, or take any profits of such holds contrary to this act iii. s. iiii. v. to be recouered within one yere next after such offence committed, by A. J. &c. wherein no W. &c. E. H. &c. 25. H. 8. 13.

Farmes in the Isle of Wight.

No man shall take aboue two farmes.

1 When lands seised into the Queenes hands vpon an Enquest taken before an Escheton, may be let to farme, and to whom. S. Patents 17.

2 That the sherife shal not let to farme his countie, his Bailiwicks, Hundreds, nor Wapentakes. S. Sherifes 5.

3 That Ecclesiastical persons may not take any farmes. See Ecclesiastical 14. 16.

Felonie.

It is Felonie by statute, to sel, exchange, or deliuer within Scotland, or the batable ground betweene England and Scotland, to the vse of any Scottishman, any Horse, Mare, or Gelding, or to sell, exchange, or deliuer in England, Wales, Barwicke, or the Marches of the same, or in the said batable ground, to the intent to be conueied into Scotland, any Horse, Mare, or Gelding, without the Queenes licence vnder her great Seale. And in like sort it is felonie to buy the same. And it shall be lawful to euerie of the Queenes subiects inhabiting in the marches against Scotland, to arrest any Scottishman conueying such Horse &c. And he shall haue one moitie of the price of the Horse, and the Q. the other. 23. H. 8. 16. 1. Eliz. 7. S. Horses 14.

Conueying Horses into Scotland.

2 And the second time to bring, sende, deliuer or receiue, or to procure to be brought, sent, deliuered, or receiued into a ship or bothome, any sheep being

Transporting of sheepe.

Felony.

being aliue, to be conueied out of the Q. dominions. But there shall be no corruption of blood nor forfe. of land or dower by reason of this Felonie. 8. Eliz. 3. S. Sheepe 1. 2.

Enlarging of
prisoners.

3 And to conspire, deuise, inuent, or goe about vnlawfully and maliciously to enlarge or set at libertie any person committed to prison, gard, or custody by the Queens special commandement, which is indicted of treason touching the Q. person, and the same conspiracy &c. by words, wryting or other act, manifestly to set forth or declare 14. Eliz. 2. to endure during the Queenes life. S. Prisons 2.

Taking or de-
stroying the
Queenes Cas-
tles.

4 And vnlawfully to conspire, compasse, imagine, practise, or deuise to take or keepe from y^e Q. any of her Castles, Towers, Fortresses, or holds, or to raise, burne, or destroy any of them, or any part of them, hauing munition or ordinance of the Queens, or appointed to be garded with souldiers for defence thereof, within any of the Q. dominions, or the marches of the same, and the same conspiracie &c. aduisedly by any act, words or wryting to declare for any of the malicious & rebellious intēts aforesaid. And it is Felony to be aiding, counsailling, comforting, or abetting to any such conspiracy, knowing thereof. 14. Eliz. 1. S. Castels 1.

Refusing to abi-
ure, not going,
or returning.

5 And for him which by the Statute prouided (Anno 35. Eliz 1. to re-
taine the Q. subjects in due obedience) is to be abiured which shall refuse to make such abiuration as by the said statute is appointed, or after such abiuration, shall not go to such Hauen, and within such time as is appointed, & from thence depart forth of the realme according to the said statute, or after his departure, shall returne and come againe into any the Queens realmes or dominions without her special licence in that behalfe first had and obtained. Prouided that the wife of any offender by force of this act, shall not lose her dower, nor that any corruption of blood shall grow or be by reason of any offence mentioned in this act: But the heire of such offender, by force of this act, shall & may, after the death of euery offender, haue and enioy the lands, tenements, and hereditaments of such offender, as if this act had not bin made: This act to continue no longer then to the end of the next Session of Parliament, 35. El. 1. S. Recusants 19. And for him which by the statute prouided (An. 35. El. 2. for the restraint of popish Recusants to some certain place of abode) is to be abiured, which shall refuse to make such abiuration as by the said statute is appointed: or after such abiuration shall not goe to such hauen, & within such time as is appointed, & from thence depart forth of the Realme according to the said statute or after his departure, shall returne and come againe into any the Queenes realmes or dominions without her speciall licence in that behalfe first had and obtained. 35. Eliz. 2. S. Recusants 33.

Coniuration.

6 And to practise, vse, or exercise any Inuocation, or Coniuration of euil and wicked spirits for any intent, or to be ayding or counsailling to any such offender. But there shall be no corruption of blood, or forfe. of land or dower

dower, by reason of this Felonie, 5. Eliz. 16. S. Coniuration 1.

7 And to exercise Witchcraft, Enchantment, Charme, or Sorcerie, Witchcraft. whereby any person shall be killed or destroyed, or to be ayding or counsailing to any such offendor. But there shall be no corruption of blood, or forf. of land or dower &c. 5. Eliz. 16. S. Coniuration 2.

8 And the second time to practise Witchcraft, Enchantment, Charme ^{Enchantment,} or Sorcerie, whereby any person shall be consumed, or lamed in his bodie ^{Sorcerie.} or member, or any of his goods or cattels destroyed or impaired, being once of the like offence convicted before, or to be counsailing or ayding to such offendor. But no corruption of blood, or forf. of land or dower &c. 5. Eliz. 16. S. Coniuration 3.

9 And to commit Buggerie with mankind, or beast, 25. H. 8. 6. Buggerie. 5. Eliz. 17.

10 And for any servant (other then Appzntice) being of the age of ^{Servants im-} xviij. yeeres to goe away with any money, iewels, goods, or cattels, or any ^{besling their} part thereof of his Masters or Mistresses, of the value of xl. s. or above, ^{masters goods.} deliuered vnto him to keepe by his Master, &c. to the intent to steale or defraud his Master or Mistresse thereof, or being in seruice with his said Master, to imbezill, or to conuert to his owne vse, money, goods, &c. of the said value, without his Masters commaundement, to the intent to steale the same. 21. H. 8. 7. 5. Eliz. 10.

11 And for a servant imbesiling his Masters goods after his death, ^{Servants im-} which doth not appeare in the Kings bench to aunswer thereunto, at such ^{besling their} time, as by writ directed, and proclamation made, he shall be demaunded. ^{masters goods} after their death. 33. H. 6. 1.

12 And for any person of the age of xiiij. yeeres or above, calling him ^{Egyptians.} selfe an Egyptian, or being in company with those which call themselves Egyptians, or disguising himselfe in apparell, speech, or otherwise, like vnto them, and so to continue at one or seuerall times wythin England or Wales, by the space of a moneth. 1. & 2. H. 4. 5. Eliz. 20. S. Egyptians 2.

13 And for any man being the Queenes servant swozne, and whose ^{Conspiracie} name is in the Check roule of her houlhold, seruing in any office or rounth ^{to destroy the} vnder the estate of a Lord, to confederat, imagine, compasse, or conspyze ^{Queene, or} with an other to destroy or murder the Q. or any Lord of this Realme, or any other swozne to the Queenes Counsell, or the Steward, Treasorer, or Comptroller of the Queenes houses. 3. H. 7. 13. See Queene 12. that the compassing of the Queenes death, or bodily harme tending to death, and by writing, speech, &c. declaring the same is high Treason.

14 And to rauish any woman, where she doth not consent, before nor Rape. after. And to rauish any woman with force, though she do consent after, West. 2. 13. Ed. 1. 33. And unlawfully and carnally to know and abuse any woman child, vnder the age of ten yeeres. 18. Eliz. 6. S. Rape 1.2.

Felonie.

Breaking
prison.

15 And for any person to breake prison, being therein for Felonie.
1. Ed. 2.

Taking a wo-
man against
her will.

16 And to take any maid, widow, or wife, hauing lands or goods, or being heire apparant to her auncestors, against her will vnlawfully, and to receiue any so taken knowing thereof, and to procure & abette the same.
3. H. 7. 2. S. Women 12.

To make a pri-
soner become
approuer.

17 And for a Gaoler, keeper, or vnderkeeper of prison to make any prisoner in his warde to become approuer against his will by too great duresse of imprisonment, and by paine. 14. Ed. 3. 10. S. Prisons 3.

Imbesilling of
Records.

18 And for any Clerke or other person to steale, take away, withdrayw, or willingly auoide any Record, or parcel of Record, writ, retorne, panel, proces, or warrant of Atturney, in the Chauncerie, Eschequer, Kings bench, Common place, or Treasurie, whereby any Iudgement shall be reuerfed, or to be a counsellor, procurer, or abbetter thereunto. And halfe the Enquest which shall trie the Felonie shall be of the same Court, and halfe of other persons. 8. H. 6. 12. S. Recordes 4.

Cutting out of
tongues, put-
ting out of eyes.

19 And of malice pretended, to cut out the tongue, or put out the eyes of any of the Queenes subiects. 5. H. 4. 5.

Imbesilling
of a Hauke.

20 And for any person finding a Fawcon, Laner, Laneret, Tercelet, or other Hauke, which doth not bring the same to the Shirife of the same Countie, that he may make Proclamation in all the good Townes of the Shire, to the intent the owner may haue knowledge thereof, but doth imbesill the Hauke. 37. Ed. 3. 19. S. Haukes 2.

Multiplication

21 And to practise the art of multiplying of Gold or Siluer. 5. H. 4. 4.

Hasons.

22 And for to cause Hasons to confederate themselves in chapters, and assemblies, whereby they so doe. 3. H. 6. 1.

Souldiour.

23 And for him which is entered of record a Souldiour, and hath taken part of the Queenes wages, or for a Mariner, or a Gunner, taking prest wages to serue the Queene on the Sea, not to come vnto, or to depart from his Captaine without licence. 18. H. 6. 19. 2. Ed. 6. 2. 5. Eliz. 5. 27. Eliz. 11. 4. & 5. H. and H. 3. S. Capitaines 3.

Hunting in the
night, or with
disguisings.

24 And for any person to hunt vnlawfully in the night, in any forrest, parke, or warren, or with painted faces, visors, or other disguisings, to the intent he would not be knowen, and being thereof examined by one of the Queenes Counsell, or by a Iustice of peace of the same Shire, to conceal the offence or any offender. And for any person which should be arrested, to disobey, or make rescue to any person hauing Warrant to arrest such hunter, so that execution of the same Warrant thereby be not had. 1. H. 7. 7. See Iustice of peace 16.

Purueyours.

25 And for any Purueyour, Taker, or other, to make purueiance for the Queenes house, or Wardrobe, without warrant, & to carrie any thing away against the consent of the owner. 28. Ed. 1. 2. And for any Purueyours after commission to him directed, to buy or prouide, or take any carriage

In other maner then is comprised in his commission. 36. Ed. 3. 2. And for any Purueyoz, not to make his prouision by the testimony & appraisement of the Constables & fower honest men of the towne, where he maketh his prices, and not to deliuer Tales oz Indentures sealed with his seale, testifying the same, 5. Ed. 3. 2. 25. Ed. 3. 1. And for any Purueyoz to take more vittailles oz cariages for the Queenes house, oz more great hozles then he hath deliuered to the same house, 36. Ed. 3. 4. And for any Purueyoz to take more sheepe befoze sheare time then be sufficient for the Queenes house, and to carie them to his owne house, and sheare them, 25. Ed. 3. 15. S. Purueyours 4. 9. 17. 18. 19.

26 And elsfoones to commit any of the offences prohibited by the statute prouided 5. Eliz. against the forging of euidences and wrytings, being once befoze conuicted, oz condemned of any of the said offences by any of the wayes oz meanes limited by the said statute. But there shall be no corruption of blood, noz forfeiture of land oz dower by reason of this Felonie. 5. Eliz. 14. S. Forging &c. 4. Forging of euidences.

27 And for any persons to the number of xii. oz aboue, being assembled together, to intend, go about, practyse, oz put in vze with force of armes unlawfully, &c. to change any Lawes in force established for Religion by Parliament, oz any other Lawes, oz Statutes, oz to do any other Act prohibited by the statute prouided against unlawfull & rebellious assemblies &c. And being commanded oz required by the Shirife, oz Iustices of peace, &c. Maior, Bailife, &c. by proclamation in the Queenes name, to retyre to their houses, &c. to remaine together by the space of an hower after such commandement by proclamation, oz after in forcible & riotous maner to attempt, do, oz put in vze, any of the things aforesaid. 1. H. 12. 1. Eliz. 16. Unlawfull assemble.

28 And for any person unlawfully &c. by ringing of any bells, sounding of any Trumpet, Dromme, Hozne, oz other instrument, oz by firing of any Beacon, malicious speaking of any words, making any outcrie, setting vp, oz casting any bill, oz wryting, oz by any other deede, oz act to raise any persons to the number of xii. oz aboue, to the intent the same persons should doe, commit oz put in vze any of the actes aforesaid prohibited, &c. If the said persons so raised after request oz commaundement giuen as aforesaid, shall continue together as aforesaid, oz unlawfully commit any of the things aforesaid. 1. H. 12. 1. Eliz. 16. Raising of unlawfull assemble.

29 And for the wife oz seruant of any of the same persons so assembled, and for any other person whatsoever, willingly to send, bring, deliuer, oz conuey any money, harnesse, artillarie, weapon, meat, bread, drinke, oz other vittaille, to any person oz persons so being assembled, during such time as they shall be together. 1. H. 12. 1. Eliz. 16. Relieving persons unlawfully assemble.

30 And for any persons to the number of xl. oz aboue, to assemble them selues in forcible maner unlawfully, to the intent to do &c. any of the aforesaid things, oz other felonious oz rebellious acts, & to continue together

Felonie.

by the space of iii. houres after Proclamation made, at, or nigh the place where they be assembled, or in some Market town next adioining, after notice therof to them giuen. But there shalbe no corruptiō of blood by reason of any of these felonies. 1. D. 12. 1. El. 16. S. Riots 16. 17. 18. 19. 31.

**Flaundersous
newes of the
Queene.**

31 And for any person which shall eftsoones aduisedly, and with a malicious intent, either of his owne imagination, or of the speaking or reporting of any other, speake, or report any false, seditious and flaundersous Newes, Rumors, sayings, or tales of our Soueraigne Lady the Queene that now is, being once lawfully convicted of any of the offences aforesaid. 23. Eliz. 2. S. Newes 5.

**Flaunders of
the Queene
by booke, wri-
ting, &c.**

32 And for any person which either within the Queenes Dominions or without, which shall aduisedly, and with a malicious intent against our Soueraigne Lady, deuise and writ, print, or set forth any Booke, Rime, Ballade, Letter, or writing containing any false, seditious, & flaundersous matter to the defamation of the Q. or to the discouraging, stirring, or mouing of any Insurrection or Rebellion within this Realme, or any the Dominions belonging to the same: Or shall aduisedly & with a malicious intent against our said Soueraigne Lady procure, or cause any such booke, writing, &c. to be written, printed, published, or set forth, and the same offence not being punishable by the statute made An. 25. Ed. 3. concerning Treason, or declaration of Treason, or by any other statute whereby any offence is made or declared Treason. 23. Eliz. 2. S. Newes 6.

**Seeking to
know how
long the Q.
shall liue or
reigne.**

33 And for any person which during the life of the Queenes Maiestie, either within her Dominions or without, which shall by setting or erecting of any figure or figures, or by casting Natiuities, or by Calculations, or by any Prophecying, Witchcraft, Coniurations, or other like unlawfull meanes whatsoeuer, seeke to know, and shall set forth by expresse words, deedes, or writings, how long her Maiestie shall liue, or continue, or who shal reigne as King or Queene of this Realme after her decease. Or shall aduisedly & with a malicious intent against her Highnesse utter any direct Prophecies to any such intent & purpose. Or shall maliciously by any words, writing, or printing, wish, will, or desire the death, or deprivation of the Queenes Maiestie that now is, or any thing directly to the same effect. And to be ayder, procurer, and abetter to any of the said offences, is also Felonie. But no attainer of any person for any offence made Felonie by this Act shall be adiudged to make the offender to forfeit any lands, tenements, or hereditaments any longer then onely during his owne life: Or to make any corruption of blood to any heire of any such offender: Or to make the wife of any such offender to loose her dower, or title of dower, of, or in any lands, &c. or her action or interest to the same. 23. Eliz. 2. See Newes 7.

**Wishing the
Queens death
or deprivation.**

**Receiuing or
relieving any
Hetic or
Priest.**

34 And for any person wittingly and willingly to receiue, relieue, comfort, aide, or maintaine any Hetic, Seminarie Priest, or other Priest,

Deacon,

Deacon, or religious or ecclesiasticall person whatsoeuer, being borne within this Realme, or any other the Queenes Highnesse dominions, and heretofore (since the feast of Saint Iohn the Baptist, An 1. Eliz.) made, ordeined, or professed, or hereafter to be made, ordeined, or professed, by any authoritie or iurisdiction deriued, challenged, or pretended from the Sea of Rome, being at libertie, or out of hold, knowing him to be a Iesuite, Seminarie Priest, or such other Priest, Deacon, or religious or ecclesiasticall person, as is aforesaid. 27. Eliz. 2. S. Iesuites 3.

35 And for any person or persons hauing the charge or custodie of any armour, ordinance, munition, shot, powder, or habiliments of warre, of the Q. Maiestie, her heires or successors, or of any victuals provided for the victualing of any Souldiers, Gunners, Mariners, or Pioners, which shall for any lucre or gaine, or wittingly, aduisedly, & of purpose to hinder or impeach her Maiesties seruice, imbezil, purloine, or conuey away any the same armour, ordinance, munition, shot, or powder, habiliments of warre, or victuals to the value of xx. s. at one or seuerall times, so that he be impeached for the same within one yeere next after the offence done. But no attainder for any offence by this Act shall make the offender to forfe. any lands any longer then only during his life, or make any corruption of blood to the heire, or the wife to forfe. her dower. 31. El. 4. S. Armour 11.

Imbeziling the
Queenes ordi-
nance, armour,
or victuall.

36 And for any Rogue being banished this Realme by the Iustices of peace in their Quarter Sessions, which shall retorne againe into any part of this Realme, or Wales, without lawfull licence, or warrant so to doe. Which Felony shall be heard & determined in that County of this realme or Wales, in which the offender shall be apprehended. 39. Eliz. 4. See Vagaboundes 4.

Rogues,
Vagaboundes.

37 And for an idle & wandering Souldiour or Mariner, or other idle person wandering as a souldiour or mariner, which doth not settle himselfe to seruice, labour, or other lawfull course of life without wandering: Or which comming from his Captaine from the Seas, or from the parts beyond the Seas, shall not haue a Testimonial vnder the hand of some one Iustice of peace, or of neere the place where he landed, setting down therein the place & time when and where he landed, & the place of his dwelling or by which vnto which he is to passe, and a conuenient time therein limited for his passage: Or hauing such a Testimonial, shall wilfully exceede the time therein limited aboue xiiii. dayes: Or haue with him any such testimonial forged, knowing the same to be forged: Or which being reteyned into seruice for one whole yeere, after his arraignment for any offence aforesaid, shall depart within the yeere, without the licence of him that so reteyned him. 39. Eliz. 17. See Mariners &c. 4. 5. 6.

Mariners.
Souldiours.

38 And for any person puerly & maliciously to breake by or cut down Powdike, any part of new Powdike in Marshland, in the County of Norfolk, or in the broken dike, otherwise called old field Dike by Marshland in the Isle

Felonie.

of Ely, in the Countie of Cambridge, or any other bank being parcell of the Rinde & uttermost part of the said countrie of Harshland, made for the defence of y^e same countrie of Harshland, otherwise then in working vpon the said banks & dikes, for the repaire of the same, 22. H. 8. 11. 2. and 3. H. and H. 19.

Poysoning.

39 And wilfull killing by poysoning of any person, is wilfull murder of malice prepenled. And the offenders, ayders, abbetters, procurers, and counsaillers, shall suffer death, and forfait as in other cases of wilfull murder. 1. Ed. 6. 12.

Euery man
shall pursue
Felonis.

40 All men generally shall be ready at the commaundement and summons of the Shirifes, and at the crie of the countrey, to pursue and arrest Felons, when neede shall be, aswell within franchises as without, and they that will not, & thereof be attainted, shall make a grievous fine to the Queene, and if default be found in the Lord of the franchise, the Q. shall seise the franchise into her hands. And if default be in the bailife, he shall be one yeere imprisoned, & after make a grievous fine, & if he haue not wher-

Concealment
or not attach-
ment of felons.

of, he shall haue two yeeres imprisonment. And if the Shirife, Coroner, or any Bailife within such franchise, or without, for reward, or intreatie, or any affinitie, do conceal, consent, or procure to conceal the felonies done in their liberties, or otherwise wil not attach or arrest such felons (where as they may) or otherwise wil not do their offices for the fauour that they beare to such offenders, & be therof attainted, they shall be one yeere imprisoned, & make a grievous fine. And if they haue not whereof to make fine, they shall be three yeeres imprisoned, West. 1. 3. Ed. 1. 9. Upon all Ho-

Huy and Crie.

micides, Burglaries, men slaine, or put in great danger, huy & crie shall be leued, & euery man shall follow the huy & crie, & offenders steps, if it may be, & whosoever doth not, & is therupon convicted, shall be attached to appeare before the Iust. of gaole deliuery. 3. E. 1. Officium Cor. S. Huy & Crie.

Persons sus-
pected of Fe-
lonis.

41 If any man suspect such leude persons as were in times past called (Robertsmen, Masters, or Drawlatches) of any manslaughter, felonies or robberies, be it by day or night, they shall be incontinently arrested by the Constable of the Towne, & if it be within franchise, deliured to the Bailifes of the franchise, and if in Gildable, to the Shirifes, and kept untill the comming downe of the Iustices of Gaole deliuerie, who shall proceede to the deliuerance of them. 5. Ed. 3. 13.

Felons refu-
sing lawfull
triall.

42 If notozious Felons which be openly knowne of euil fame, wil not put themselues vpon Enquests of felonies which any man doth prosecute before the Iustices at the Q. suit, they shall be put in strait & hard prison, as those which refuse the Law of the Realme. But this is not vnderstanded of prisoners, which be taken for a light suspicion, West. 1. 3. Ed. 1. 12.

Waine, fort,
and cure.

1 That the keeper of a Forrest, Parke, or Warren, may kill him which commeth within his charge to do hurt, and will not yeeld. S. Forests 4.

2 That he which killeth a Felon, which attempteth to robbe him, shall

shall forfait nothing. S. Forfaitures 1.

3 That the Iustices may awarde a writ of Restitution of stollen goods vpon the attainder of a Felon. S. Restitution 1.

4 That the Queene shall haue Felons goods, and *Annum, Diem, and Vastum*, in their lands. S. Prerogative 16.

5 That the Iustices of the Kings Bench, may remaund any Murtherer or Felon, and his Indictment to be tried in the Countrey. S. Remouer 2.

6 That the goodes of him which is imprisoned for Felonie, shall not be seised, before he be attainted thereof. S. Shirifes 26.

7 That an abiured person committing Felonie shall lose the priuiledge of Sanctuarie. S. Sanctuarie 9.

8 What meanes may be vsed for the apprehension of them in one Countie, to be indicted in an other. S. Inditments 2.13.

Fesants, Partridges.

If any person do take, or cause to be taken any Fesants or Partridges, Taking Fe-
sants &c. with
snarcs. by nets, snares, or other engins, out of his owne Warren, vpon the freehold of an other person, without the assent and speciall licence of the owner, or possessor of the same, he shall forfe. x. li. to the owner of the ground and the Informer, to be recovered by A. B. &c. 11. H. 7. 17.

2 No person shall take, kill, or destroy any Fesant or Partridges with Killing of Fe-
sants or Par-
tridges in the
night. any maner of nets, snares, ginnes, engins, rowling, lowling, or other deuises whatsoeuer in the night time, vpon paine of forfe. for euery Fesant so taken, killed, or destroyed, contrarie to the true meaning of this Act, xx. s. and for euery Partridge x. s. The which said penalties if euery person so offending, do not pay within x. dayes next after his or their conviction, then to haue one Monethes imprisonment without baile or mainprile. And further ouer & beside such forfeiture or imprisonment to put in bond with good suerties for the space of two yeeres, that he shall not take, kill, or destroy, any Partridges or Fesants, contrarie to the true meaning of this Act: The same bond to be taken by some Iustice of the peace of the Countie where the said offence shall be committed. The one halfe of all which said seuerall forfeitures to be to the chiefe Lord or Lords of the liberties, lordships, or manors, vpon & in which the same shal be so taken, killed, or destroyed, and the other moitie to such person or persons as will sue for the same in any her Maiesties Courts of Record, by V. B. or J. wherein no A. C. B. &c. 23. Eliz. 10.

3 Provided alwaies, that if such person, to whom the one halfe of the said forfeiture is appointed for the taking, killing, or destroying of Partridges and Fesants, contrarie to the tenor of this Act, shall dispense with, A remedie
where the Lord
doth dispense
with the forfeit-
ure, or giue li-
cence to offend, licence, or procure any taking, killing, or destroying of any Partridges or Fesants, contrarie to the forme of this Act: Then all such forfeitures and penalties, as such person or persons should haue by vertue of this Act, shall be to the poore of the Parish where such taking, killing, or destroying shal

be committed : And that to be leuied or recovered in maner and fourme aforesaid, by any one of the Churchwardens of the parish where the offence shall be committed, 23. Eliz. 10.

Harowing in
eared or codd-
ded Cozne.

4 No person or persons shall hawke, or with his Spaniels hunt, in any ground where Cozne or other Graine shall then grow, (except it be in his owne ground) at such time as any eared or coddred Cozne or Graine shall be standing and growing vpon the same, nor before such time as such Cozne & Graine shalbe shocked, cocked, hiled, or copped, vpon pain of forfeiture for euery time that he shal so hawke or hunt as aforesaid, (without the consent of the owner of the Cozne or Graine) to such person or persons as shall be owner of the said eared or coddred Cozne or Graine xl. s., and the same to be leuied & recovered in maner & forme aforesaid, 23. El. 10.

Taking Par-
tridges or Fe-
sants, and let-
ting them go
again.

5 Provided alwayes, that this Act shall not in any wise extend to Lowbellers, Tramellers, or others, which shall vnwillingly happen to take any Partridges or Fesants by night vnder any Tramell, Lowbell, Roadnet, or other engin : So as they & euery of them do presently loose & let go euery Fesant and Partridge so taken, and suffer them presently to flie and goe at large at the place where they shall happen so to be taken, without willingly killing, or wilfully hurting any such Fesant or Partridge, so taken in any maner of sort : any thing in this Act &c. notwithstanding, 23. Eliz. 10, S. Iustices of peace 38. Lectes 18.

Fifteenes.

Cattel charge-
able to the rd.
where they be
the time of the
same granted.

ALl Forreins, hauing lands, or tenements, goods, or cattels within any townes at the day of the graunt of any Disine, fifteene, or other Taxe, although they lead away their beasts, or carie away their goods & cattels out of the same towne after the day of the said graunt, yet euery of them shall be contributozie with the inhabitants of such townes, to such Disine, fifteene, or Taxe. And the Collectors of the same disine, fifteene or taxe for the time being within such townes haue power by authority of their office, to tare & assele such Forreins according to the quantitie of their goods, cattels & possessions, being in the said townes at the day of the graunt of the said disines, fifteene, or taxe, & for the same summes wherto they be assessed or taxed, to distraine in euery place within the said county, as well before the D. be answered of the whole summes that attaine to the said townes, as after. But no man or woman shalbe twice charged for any such beasts, goods, or cattels, in any wise by occasion thereof. 9. W. 4. 7.

Fifteene, Quarrelling.

Drawing of
blood within
the Queenes
Palace.

IF any person shall maliciously strike any other person, whereby blood shall be shed, in any of the Queenes houses or Palaces, or in any other house, where the Queenes Maiestie, her heires, &c. shall be at that time abyding in her Roial person, viz. within any edifices, courts, places, gardens, orchards, or houses, within the Porters warde of any of the houses aboue rehearsed, or within any gardens, priuie walkes, orchards,

till.

tiltyards, woodyards, tennis plaies, cocke fights, bowling allies neere adioyning to any of the said houses, and being part of the same, or within the foote of the standerd of any outward gate or gates of any of the said houses, commonly vsed for passage from any of the houses &c. and shall be therof indicted, arraigned, & attainted according to the statute in that case prouided, he shall haue his right hand stricken off, be imprisoned during his life, and make fine to the Queene at her pleasure. But this act, nor the paines & forfeitures befoze rehearsed, shall not extend to any Noble man or other person that shall strike his seruant within the said Palaces or houses, or the limits of the same, with his hand or fist or any small staffe or sticke, for correction for any offence committed, Nor to any of the Queenes Officers that in executing his office, shall strike anie person with his hand, fist, or small staffe, sticke, or tipstaffe. Nor to anie other person, that in doing seruice at anie triumph, or any other time of seruice, by the Queens or anie of her Counsel, or other her head officers commandement, shall for the executing of his said seruice, strike anie person with his hand, fist, small staffe, or sticke or any tipstaffe, within the same Palace, house &c. although by reason of the same stroke or strokes there happen to be any bloodshed of such person as shall be so stricken, except the person so stricken die of the same stroke within one yeere next after. 33.H. 8. 12. How the offender in this case shall be indicted, and tried. S. Triall. 4. 5. 6.

2 If anie person whatsoeuer, doe by words onely, quarell, chide or bzaule in anie Church or Churchyard, then it shall be lawfull to the Ordinarie of the place where the offence is done and proued by two lawfull witnesses, to suspend him (being a lay man) ab ingressu Ecclesie, and being a Clerke, from the ministracion of his office, so long as he thinketh meete, according to the fault. 5. Ed. 6. 4.

Chiding in the Church or Churchyard.

3 Whosoever shall smite, or lay violent hands vpon another, in anie Church or Churchyard, shall be deemed ipso facto excommunicate, and excluded from the fellowship and companie of Christs congregation. 5. Ed. 6. 4.

Smiting in Church or Churchyard.

4 If anie person shall maliciously strike any person with any weapon, in anie Church or Churchyard, or shall draw anie weapon, in anie Church or Churchyard, to the intent to strike another with the same: then euery person so offending, and thereof being couicted by verdict of twelue men, or by his owne confession, or by two lawfull witnesses befoze the Iustices of Assise, Iustices of Oier and determiner, or Iustices of Peace in their Sessions, shall be adiudged by the same Iustices, befoze whome such person shall be couicted, to haue one of his eares cut off. And if the person or persons so offending, haue none eares, whereby they should receiue such punishment as is befoze declared, then he or they to be marked and burned in the cheeke with an hot yron, hauing the letter (F) whereby he or they may be knowen and taken for fraie makers and fighters, and besides,

Drawing or smiting with a weapon in a Church or Churchyard.

besides, that euery such person to be and stand, ipso facto, excommunicated as is aforesaid. 5. and 6. Ed. 6. 4.

Assaults vpon
them which
come to the
Parliament.

5 If anie assault or fray be made vpon anie Lord Spiritual, or temporal, K. of the shire, citizen or burgesse, which comes to the Parliament, or to the Queenes Counsell by her commandement, and there being and attending, then proclamation shall be made in the most open place of the towne where the affray was made, by three seuerall daies, that the partie that made such affray or assault shall yeeld himselfe in the Kings Bench within a quarter of a yeere next after the Proclamation made, if it be in the Terme time, or otherwise at the first day of the Terme following the said quarter. And if he do not, he shall be attainted of the said deede, and paie to the partie griued his double damages to be taxed by the discretion of the Iustices of the same bench, or by enquest, if it be needfull, and shall make fine & ransome at the Queenes pleasure. And if he come & be found guiltie by enquest, by examination, or otherwise of such affray or assault, then he shall pay to the partie griued his double damages found by the enquest, or to be taxed by the discretion of the said Iustices, & make fine & ransome at the Queenes pleasure. 11. H. 6. 11. The like punishment shall he haue which maketh assault or fray in Parliament time vpon any meniall seruant of anie Knight of the Parliament, or &c. which doth come to the Parliament with his master. 5. H. 4. 6.

Assaulting the
seruant of him
which cometh
to the Parlia-
ment.

Fines.

The conusor
in the fine shall
come personal-
ly before the
Iustices.

As well the parties plaintifes or demandants, as the tenants and defendants, which will knowledge or yeeld their right or tenements to others in pleas of Warrantia chartæ, Couenant, and other like, wherupon fines are to be leuied, shall come personally before the Iustices of the Common place, before the same fines be leuied, that their age, Idiocie, or other defect (if there be anie) may be discerned and iudged by them, but if anie man which is old, decrepit, or impotent by any casualtie, be so oppressed or detained, that he is not by anie meanes able to come before the said Iustices, Then two or one of the said Iustices by the assent of the whole Bench, shall go vnto him which is so diseased, and shall receiue his cognisance, vpon the plea or forme of plea, which he hath in the Queenes court, whereupon the said fine ought to be leuied, and if there go but one, he shall take with him an Abbot, a Prior, or a Knight, being a man of credit and good name, and shall certifie the Iustices of the Common place thereof by their record, So that all things incident to the fine being by him or them well examined, the same fines may be duely leuied. Carliel. 15. Ed. 2.

A fine taken
by dedimus
potestatem.

A fine cannot
be leuied with-
out an originall
writte.

2 The order of the law will not permit a finall accord to be leuied in the Queenes Court, without an originall writ, and that must be at the least before foure Iustices of the bench, or in Eire, and not otherwise, and in presence of the parties named in the writ, which be of full age, good memory, and out of prison, And if a woman which is couert baron, be one of the

the parties, then it behoueth that she be first examined before the said fourre Justices, and if she do not assent to the fine, it shall not be leuied, Stat. de finibus. 18. Ed. 1. A fine leuied by a woman couert.

3 After the ingrossing of euerie fine to be leuied in the Q. Court, before her Justices of the common pleas, of any lands, tenements or other hereditaments, the same fine shall be openly & solemnly read and proclaimed in the same court the same Terme, and in three Termes then next following the same ingrossing in the same court, at fourre seuerall daies in euerie terme, and in the same time that it is so read and proclaimed, all pleas shall cease. 1. R. 3. 7. 4. W. 7. 24. All fines with proclamations from & after the feast of Easter next ensuing to be leuied in the said court (viz. of the Common pleas) shall be proclaimed only fourre times, that is to say, once in the Terme wherein it is ingrossed, and once in euery of the three Termes holden next after the same ingrossing. And euerie fine proclaimed as aforesaid, shall be of as great force and effect in law to all intents & purposes, as if the same had been sixteene times proclaimed according to the statutes heretofore made. 31. Eliz. 2. A fine proclaimed.

4 And the said proclamations so had & made, the said fine shall be a final end, and conclude as well priues as strangers to the same except women couert (other then be parties to the said fine) and euerie person then being within age of xxi. yeeres, in prison, or out of this Realme, or not of whole minde at the time of the said fine leuied, nor partie to such fines. 1. R. 3. 7. 4. W. 7. 24. Who shall be concluded by a fine and who not.

5 Sauing to euerie person or persons, and to their heires (other then the parties in the said fine) such right, claime, and interest, as they haue, to, or in the said lands, tenements or other hereditaments, time of such fine ingrossed, so that they pursue their title, claime or interest by way of Action or lawfull entrie, within five yerres next after the said proclamations had made. 1. R. 7. 4. A. 7. 24. Every strangers right saved which he presently hath.

6 And sauing to all other persons, such action, right, title, claime, and interest, in or to the said lands, tenements, or other hereditaments, as first shall grow, remaine, or descend, or come to them after the said fine ingrossed, and proclamation made by force of anie gift in the taile, or by anie other cause or matter had and made, before the said fine leuied, so that they take their Action, or pursue their said right and title according to the law within five yerres next after such Action, right, title, claime, or interest to them accrued, descended, remained, fallen or come: And the said persons and their heires may haue their said Action against the pernour of the profits of the said lands and tenements and other hereditaments, time of the said Action to be taken. 1. R. 3. 7. 4. W. 7. 24. The right of strangers saved which shall come to them.

7 And if the same persons, at the time of such Action, right, and title, accrued, descended, remained, or come unto them, be couert baron, or with- in age, in prison or out of this land, or not of whole mind, then their Action, The right of Infants, women couert, persons im-
right

prisoned, out
of this land,
and not of
whole mind
laued.

right and title shalbe reserved, and saved to them, and to their heires, vnto the time they come and be at their full age of xxi. yeeres, out of prison, within this land, vncouert, and of whole mind, so that they or their heires take their said Actions, or their lawfull entrie, according to their right & title, within five yeeres next after that they come, and be at their full age, out of prison, within this land, vncouert, and of whole mind, and the same Actions pursue, or other lawfull entrie take, according to the law. But all such persons as be couert baron, not partie to the fine, and euery person being within age, in prison, or out of this land, or not of whole minde at the time of the said fines leuied, and ingrossed, hauing any right or title, or cause of action to anie of the said lands and other hereditaments, they or their heires inheritable to the same, shall take their said actions, or lawfull entrie according to their right and title, within five yeeres next after they come & be of full age of xxi. yeeres, out of prison, vncouert, within this land, and of whole mind, and the same actions sue, or their lawfull entrie take and pursue according to the lawe. And if they doe not take their actions and entrie as is aforesaid, they and euerie of them and their heires, and the heires of euerie of them, shalbe concluded by the said fines for euer in like forme as they be, that be parties or priuies to the said fines. I. R. 3. 7. 4. W. 7. 24.

Exception that
the parties to
the fine had
nothing in the
land.

8 Sauing to euery person and persons not partie nor priuie to the said fine, their exception, to auoid the said fine, by that, that those that were parties to the fine, nor anie of them, nor no person nor persons to their vse, ne to the vse of any of them, had nothing in the lands and tenements comprised in the said fine, at the time of the said fine leuied. 4. W. 7. 24.

A fine proclai-
med at the ge-
nerall assises
and quarter
Sessions.

9 Anno I. R. 3. 7. it is enacted, that a transcript of the same fine shall be sent by the said Iustices of the common plees, to the Iustices of Assise of the Countie where the said lands and tenements be, they to cause the said fine to be read and proclaimed openly, and solemnlie in euerie their Sessions of Assise to be holden the same yeere, if Assises do then hold, and all the pleas in the meane time to cease, Also a like transcript of the same fine shall be sent to the Iustices of Peace of the Countie where the said lands and tenements be, they to cause open and solemn proclamation of the said fine to be made at foure seuerall Sessions of the Peace to be holden the same yeere. The said Iustices of Assises, and also Iustices of peace to certifie the same proclamation to the Queenes Iustices of the Common pleas, at the second day of returne of the Terme then next following.

Fines at the
common lawe
be of the same
force they
were.

10 Euerie fine that shall be leuied in anie of the Queenes courts of anie Manors, lands, tenements, or other possessions after the maner, vse and formes that fines haue been leuied before the making of these acts, be of like force, effect, and authoritic, as fines so leuied be, or were before the making of these acts, and euery person shal be at his libertie to leuie a fine at

at his pleasure, whether he will after the forme contained & ordained in, and by these acts or anie of them, or after the maner and forme befozetime vsed. 4. H. 7. 24. 1. R. 3. 7.

11 All fines aswell heretofore leuied, as hereafter to be leuied before the Iustices of the Common ples, of any manors, lands, tenements, or other hereditaments, whereupon the proclamations haue not, or shall not by reason of adiournment of any terme by writ be duly made, shall be of as good force, effect and strength to all intents, constructions, and purposes, as if anie terme heretofore adiourned, or that at anie time hereafter shalbe so adiourned, had been holden and kept, from the beginning to the end thereof not adiourned, and Proclamation therein made, according to the fourme and effect of the said statute of 4. H. 7. 1. M. 1. Parl. 7.

Proclamations
not made by the
adiournment of
anie terme.

12 All fines which shall be leuied before the Iustices of Assises at Lancaster, or before one of them, of anie lands, tenements, or other hereditaments lying within the Countie Palantine of Lancaster, which shall be openly read, and proclaimed three seuerall daies in the open Sessions in the presence of the Iustices of assise at Lancaster, or one of them, at the same Sessions, that the same fine shalbe ingrossed, and also at the two next generall Sessions, that shall be holden in the said County before the Iustices of Assise of the same countie, or before one of them, next after the leuying or ingrossing of such said fine, at three seuerall daies in either of the said two Sessions, after such maner and forme, as is commonly vsed in the Common place at Westminster, shal be of like force to all intents, as fines being duly leuied with proclamations before the Q. Iustices of her common ples be or ought to be of 3 7. H. 8. 19. And al and singular fines which at anie time hereafter shall be leuied or knowledged before the Iustice or Iustices of the County Palantine of Durham for the time being authorized for that purpose and use, of anie lands, tenements or other hereditaments, lying or being within the said Countie Palantine of Durham which shalbe openly read and proclaimed two seuerall daies in the open sessions in the presence of the Iustices of Assises at Durham, or one of them for the time being at the same Sessions, that the same fine shall fortune to be ingrossed, and also that shalbe openly read and proclaimed in the presence of the Iustices of Assise at Durham or one of them for the time being at the two next Generall Sessions that shall be holden in the Countie Palantine of Durham before the Iustices of the same Countie, commonly called Iustices of Assises at Durham, or one of them, next after the leuying or ingrossing of such said fine, shalbe of like, and of the same force, strength and effect in the law to all intents, constructions and purposes, as fines being duly leuied with Proclamations before the Queenes Iustices of her Common pleas at Westminster be or ought to be. 5. Eliz. 27.

Fines leuied
before the Iu-
stices of assise
at Lancaster.

Fines leuied
before the Iu-
stices of assise
at Durham.

13 Fines which shall be leuied before the high Iustice of the County Palantine

Fines leuied
before the high
Iustice at Che-
ster of lands in
Cheshire.

Palantine of Chester, or before the deputie or Lieutenant, Justice there for the time being, of any lands, tenements, or other hereditaments lying within the said Countie Palantine of Chester, which shall be openly read & proclaimed three severall daies in the open Session, in the presence of the Justice of the said County Palantine, or before the deputie or Lieutenant Justice there, at the same Sessions that the same fine shall be ingrossed, and also at the two next generall sessions that shall be holden in the said Countie, next after the leuying & ingrossing of such fine at three severall daies, in either of the said two sessions, after such maner & forme, as is commonly used in the Common place at West. shall be of like force to all intents, as fines being duly leuied with Proclamations before the D. Justices of her common pleas be or ought to be of. 2. Ed. 6. 28.

A fine leuied
by tenant in
tail, shall be a
barre to the
heire of his
bodie.

14 All and singular fines aswell heretofore leuied, as hereafter to be leuied before the Justices of the common pleas, with Proclamations according to the foresaid stat. made 4. H. 7. by any person or persons of full age of xxi. yeeres, of any Manors, lands, tenements, or other hereditaments before the time of the same fine leuied in anie wise entailed to the person or persons so leuying the same fine, or to any the ancestor or ancestors of the same person or persons in possession, reuerſion, remainder, or in vse, shall be immediatly after the same fine leuied, ingrossed, and proclamations made, adiudged, & taken to all intents, a sufficient barre and discharge for ever, against the same person and persons, and their heires, claiming the said lands, tenements & hereditaments, or anie parcell thereof, onely by force of anie such entaile, and against all other persons claiming the same, or any parcell thereof only to their vse, or to the vse of any maner of heir of the bodies of them. 32. H. 8. 36.

Fine leuied by
the wife of the
inheritance of
her late hus-
band,

15 But this act shall not extend to barre the lawfull entrie, title or interest of any heires or persons, giuen or accrued to any of them, in or to any manors, lands, tenements or hereditaments, by reason of any fine leuied by anie woman after the death of her husband, contrarie to the forme, intent, & effect of the stat. made 11. H. 7. 20. of anie manors, lands, tenements & hereditaments, of y^e inheritance or purchase of the said husband, or of anie his ancestors, giuen or assigned to anie such woman in dower, for terme of life or in tail, in vse or in possession. But the same act made 11. H. 7. shall remaine in full strength, in euerie clause therein contained, as though this act had not been made. 32. H. 8. 36. S. Women 1.

A fine leuied
by him which
is restrained
by Parliamēt.

16 Neither shall this act extend to any fine heretofore leuied or hereafter to be leuied of any lordships, manors, lands, tenements, or other hereditaments, the possessioners & owners whereof, by reason of anie expresse words contained in any especial act or acts of Parliament made since 4. H. 7. be bounden or restrained from making anie alienations, discontinuances, or other alterations of any of the same manors, lands, &c. contained in the said fine. But euery such fine shall be of such like force and strength

Strength in the law, and of none other effect, then the same should haue been, if this act had neuer been made. 32. H. 8. 36.

17 Neither shall this act extend to any fine leuied by any person of anie manors, lands, tenements, or hereditaments, before the time of the leuying of the same fine giuen, granted or assigned to the said person, or to anie of his ancestors in the tail, by vertue of any letters P. of King H. 8. or of any of his progenitors, or by vertue of anie act or acts of Parliamēt, the reuerſion whereof at the time of the same fine leuied being in the D. her heirs, or successors: But euery such fine shalbe of like force & effect as they were or should haue been, if this act had not been made. 32. H. 8. 36.

Fines of lands whereof the reuerſion is in the Queene.

18 No exception, answer, or Inquisition of the countrey shall be admitted by any persons being parties to any fines, or by their heires to auoide and defeat such fines, in alleadging that before the fine leuied, at the leuying therof, & since the fine leuied the demandants or plaintiffs or their ancestors were alwaies seised of the land contained in the fine, or of some parcel thereof. Stat. de finibus. 27. Ed. 1. 1.

Exception that the demandant &c. was alwaies seised.

19 Euerie writ of couenant and other writ, whereupon any fine heretofore hath been leuied, or hereafter shal be leuied, the retorne thereof, the writ of Dedimus potestatem, made for the knowledging of any of y^e same fines, the retorne thereof, the concord, note & foote of euerie such fine, the proclamations made therupon, & the Kings silver, and also euerie original writ of entrie in the post, or other writ, whereupon anie common recovery hath been suffered, or hereafter shall be suffered or passed, the writs of Sum. ad warrantizand. the returnes of the said originals & writs of Sum. ad warrantizand. and euery warrant of Atturney, had or to be had, aswell of euery demandant & tenant as vouchee extant & remaining, or that shall be extant and in being, may vpon the request or election of any person be inrolled in rols of parchment by such persons, and for such considerations as hereafter in this act shall be mentioned: And the Inrolments of the same, or of any part thereof, shalbe of as good force & validitie in law to all intents, for so much of anie of them so inrolled, as the same being extant and remaining were or ought by law to be 23. Eliz. 3.

Inrolment of fines and recoveries.

20 No Fine, proclamations vpon fines, or common recovery heretofore had, leuied, suffered or passed, or hereafter to be had, leuied, suffered or passed, shalbe reuersed or reuersable by any writ of Error, for false, or incongrue latin, rasure, enterlining, misentring of any warrant of atturney, or of any proclamation, misreturning or not returning of the sherife, or other want of forme in words, & not in matter of substance. 23. Eliz. 3.

For what Errors, fines, and recoveries are not reuersable.

21 Provided alwaies, that this act nor any thing therein contained, shal barre or exclude any person or persons, from any writ of error, which shalbe had, taken or pursued, within five yerces next after the end of the session of this present parliament, vpon anie fine or recovery heretofore had or suffered: Nor from anie writ of Error which shalbe had, taken, or pursued,

What persons may haue writs of error to reuerſe fines, and in what cases.

pursued, vpon any fine or recouerie, heretofore leuied, knowledged, or had, which fine or fines, recouery or recoueries, or any part or parcel of them, or any of them, now is, or at any time before the first day of June, which shal be in An.Dom. 1582. shalbe exemplified vnder the Great Seale of England, at and by the suit of any person, that is, or may be intituled to haue or sue any writ of Error vpon any the fines or recoueries heretofore passed, Nor to barre any femme couert, or any person within y^e age of xxi. yerres, or any person that is non Compos mentis, in prison, or beyond the Seas of or fro any writ of Error to be had or prosecuted, for the reuerling of any fine or recouerie heretofore passed, leuied or suffered, so that such femme couert, or her heirs, within seuen yerres next after that she become sole, and such person within the age of xxi. yeeres, or his heirs, within seuen yeeres next after he shal come and be of ful age of xxi. yerres. And such person that is non Compos mentis within seuen yeeres next after he shall become of sane memorie, and in default thereof, the heires of such person that is non Compos mentis within vii. yerres next after the death of such person being non Compos mentis. And such person in prison or his heires, within seuen yerres next after the same person shalbe at libertie. And such person beyond the seas or his heires, within seuen yerres next after the returne of such person, into this realme of England, or the death of the said person, if he shall before his returne, die in anie forreine countrey, shall sue, take and prosecute their writs of Error, as their cases severally shall require, for reuerling of anie the said Fines or Recoueries, heretofore passed, leuied or suffered. 23. Eliz. 3.

A remedie for the heir, where the aunceller dieth hanging the suit.

22 Provided alwaies, that if anie person or persons, shall within the time and yerres afoze mencioned, commence or sue his or their writs of error for the reuerling of any the said fines or recoueries heretofore passed, which suit shall fortune to abate by the death of any the parties to y^e same, Then it shal & may be lawfull for his & their heirs, at any time within one yere next after the said vii. yerres expired, to haue, sue, & take their writ of Error, for the reuerling of euerie such fine, & recouerie. And if such heir be an infant, within the age of xxi. yerres, then within one yere next after the full age of such Infant. Any thing in this act &c. notwithstanding. 23. El. 3.

The day and yeere of the knowledge of a fine, or warrant of Atturney, for a recouerie, shall be certified.

23 Euerie person that shal at anie time hereafter take the knowledge of anie Fine or warrant of Atturney, of any tenant or vouchee, for suffering any common recouerie, or shall certifie them or anie of them, shall with the certificat of the concord or warrant of Attozney, certifie also the day & yere wherein the same was knowledged. And no person that taketh any such knowledge of anie fine or warrant for anie recouerie, shall be bounden, or by anie meanes enforced, to certifie anie such knowledge, or warrat, except it be within one yere next after the said knowledge taken, and no Clerk or officer shal receiue anie writ of couenant, or writ of Entry, whereupon any fine or common Recouerie is hereafter to passe, vntill

lesse the day of the knowledge of the same fine & warrant shall appeare, in
 or by such certificat, vpon paine that euery Clerk that shall receiue any
 such writ, shall forf. for euery time that he shall so offend v. li. And no At- Attournement.
 turnement in or vpon any fine shal be entred vpon record, except the party
 mentioned to atturne therein first haue appeared in the Court in person,
 or by Atturney warranted by the hand of one of the Iustices of the one
 bench, or the other, or of one Iustice of Assise, vpon a writ of Quid iuris
 clamat, Quem redditum reddit, or Per que seruitia, as the case requi-
 reth. And euery entrie of Attournement hereafter to be made, where there
 shall be no apparance as afoze is said, shall be vtterly void, and of none
 effect, without any writ of Error, or other meanes to be vled for auoiding
 thereof, 23. Eliz. 3.

24 There shall be for euer one Office for the inrolment afozesaid, ^{The office of}
 which shall be and continue an Office for euer, called the Office of In- Inrolments.
 roulments of writs for fines and Recoueries. And the Iustices of the
 Common Pleas for the time being (other then the chiefe Iustice) shall
 haue and take the care and charge, of and for the Inroulments afozesaid,
 and shall haue and enioy the said Office, and the disposition thereof, and
 carefully see and looke to the execution thereof. And in consideration of
 their charges, paine, and trauell therein, shall haue and take the summes
 of money hereafter following, and no moze: That is to say, for the In- Fees for in-
 roulment and examination of euery fine, and the parties thereof before roulment of
 mentioned, the summe of vi. s. viii. d. And for the inroulment of the said fines and re-
 partes of euery Recouerie, and the examination thereof vi. s. viii. d. And coueries.
 for euery exemplification of the inroulment of any fine v. s. And for the
 exemplification and returnes of euery writ of Entrie, Summons ad war-
 rantizandum, and Warrants, v. s. And for the Search of the Roules of
 one yeere, iiii. d. And for the copie of one sheete of paper containing xiiii.
 lines, iiii. d. And the said Iustices, or one of them, shall examine the in-
 roulments of euery such fine, and partes of Recoueries, and forthwith
 after examination thereof, and immediatly after the inroulment of euery
 such fine and partes of Recoueries, write his name that so examineth,
 with his owne hand in the roules thereof, vpon paine that the said Iustices
 shall forfalt to the Queene v. li. for euery time that they, or some one of
 them shall make default of such examination, or writing of his or their
 name, as afoze is said. And it shall and may be lawfull to and for the Ju-
 stices of the said court of Common pleas, from time to time, to take order
 in all thinges that shall be conuenient and needfull for the inroulments
 afozesaid. And vpon examination in the said Court to aslesse such fine or ^{A lesing of}
 amerciamment, vpon any Clerk, Shirife, Deputie, Atturney, and other fines for mis-
 person for his and their mispyllion, contempt, and negligence, for not do- pyllion, con-
 ing, or misdoing in any thing, of, in, or concerning the said fines and tempt, or neg-
 Recoueries, or any part of them, or either of them, as by the said Iustices ligence.

Fines.

of the said court of Common pleas for the time being, shall be thought meete and conuenient, The said Fine and amerciament to be estreated amongst other Fines and amerciaments of that Court, where such offence or misprision shall be committed. 23. Eliz. 3.

A Table containing the content of every fine, that be set up in the Common place, and at the general Assises.

25 The Chirographer of Fines of the Common pleas for the time being, for euer shall write and make, or cause to be written and made for euery Countie, where her Maiesties writ runneth, one Table, wherein shall be contained such contents of euery Fine, that shall passe in any one Terme, as hereafter is mentioned: That is to say, the name of the Countie, wherein the tenements mentioned in any Fine be, the name of euery plaintife and deforceant, and of euery Danoz named in the Fine, if any such be, and of the townes and places where the tenements in such Fine comprised do lie. And the first day of the next Terme, after the ingrossing of euery such Fine, shall fixe euery of the said Tables, vpon some open place of the Court of Common pleas, and so euery day of the said Terme during the time of sitting of the said Court. And the said Chirographer shall deliuer to euery Shirife of euery Countie, his Undershirife or Deputie, faire written in parchment, a perfect content of the Table, so to be made for that Shire, in the Terme that shall be next befoze the Assises be holden in the said Countie, or els meane betweene that Terme and the said Assises. And euery such Shirife to whom such parchments with the contents aforesaid, shall be deliuered, the first day of the next Assises after the deliuerie thereof vnto him, and euery day during the said Assises, shall fixe and set vp the same writing vndeaced in some open place in the Court where the Iustices of the Assise of that Countie shall sit, and shall see the same to continue there, during such time as the said Iustices shall sit there in Court, vpon paine that euery Chirographer and Shirife offending against any thing in this Act contained, shall forfait to the Queene and A. v. li. to be recovered in any Court of Record, wherein no Escoin, P. or W. shall be allowed. And the Chirographer for the time being, shall haue and take for euery such content of euery Fine so set downe in the Table aforesaid iiii. d. 23. Eliz. 3.

The Chirographer his fee for the content of a fine.

Earle of Kent his title.

26 And for asmuch as vpon great examination it appeareth, that diuers Fines and Recoueries haue bin heretofore leuied and suffered of diuers manors, mesuages, lands, tenements, and hereditaments, which sometime where the inheritance of George sometime Earle of Kent, great graundfather to Henry now Earle of Kent, in vse, possession, reuerfion, or remainder, whereunto the said now Earle of Kent pretendeth title, in vse, possession, reuerfion, or remainder, which if they be erroneous, as is pretended, do much varie from the general cause and mischiefe, for which this Statute meaneth to prouide: Therefore this Statute, nor any thing therein contained, shall extend to take away any writ of Error, whereunto any person or persons is now, or hereafter shall be lawfully

fully intituled for the reuerſing of the ſaid fines and Recoueries, or any of them heretofore leuied or ſuffered of any of the ſaid manors, meſuages, lands, tenements, or hereditaments, which late were any part or parcell of the inheritance of the ſaid George ſometime Earle of Kent, in uſe, poſſeſſion, reuerſion, or remainder: Any thing in this Statute &c. notwithstanding. 23. Eliz. 3.

27 It ſhall and may be lawfull for the Juſtices Clerkes authorized by their warrant in the ſaid ſeuerall offices and places, where the ſame Records, or any of them doe or ſhall remaine, to write out, or inroule the ſame Records, and euery part thereof, without any thing to be paid therefor: And the ſaid Records, nor any of them, for the writing out, or making the Rolles thereof, by the Clerkes of the ſaid Juſtices, otherwiſe then for the examination thereof by the Juſtices, ſhall be brought, or carried forth of the ſaid offices, or places. 23. Eliz. 3.

Records are not to be removed forth of the office.

28 None of the fines or Recoueries heretofore leuied, paſſed, or ſuffered, which ſhall be exemplified vnder the great Seale, according to the forme of this Act, ſhall after ſuch exemplification had, be in any wiſe amended. 23. Eliz. 3.

No fines or recoueries amended, after exemplification.

29 Every writ of Couenant, and other writ whereupon any fine heretofore hath bin leuied, or hereafter ſhall be leuied, the returne thereof, the writ of Dedimus poſt ſtatem made for the acknowledging of any of the ſame fines, the returne thereof, the concord, note, and foote of euery ſuch fine, the Proclamations made thereupon, and the Kings ſiluer, and alſo euery originall writ of Entre in the Poſt, or other writ whereupon any common Recouerie hath bin ſuffered, or hereafter ſhall be ſuffered or paſſed, the writs of Summons ad warrantizandum, the returnes of the ſaid originals, & writs of Summons ad warrantizandum, and euery warrant of Atturney, had, or to be had, alſwell of euery demandant & tenant, as Touches extant and remainyng, or that ſhall be extant and being in the Courts of Miſes or great Sessions within the xii. Shires of Wales, Towne and Countie of Hauerford Weſt, and Counties Palantine of Cheſter, Lancaſter, and Dureſme, or in the cuſtodie of the Officers, to whom the charge of keeping thereof doth appertaine, may vpon the request, or election of any perſon or perſons, be inrolled in rolles of parchment, by ſuch perſons, & for ſuch conſiderations, as hereafter in this Act ſhall be mentioned. And the Inroulements of the ſame, or any part thereof ſhall be of as good force and validitie in Law, to all intents, reſpects, and purpoſes, for ſo much of any of them ſo inrolled, as the ſame being extant and remainyng were or ought by Law to be. 27. Eliz. 9.

Inroulement of fines & recoueries in Wales, and the Counties Palantin,

Glamorgan.
Brecknock.
Radnor.
Carmarthen.
Pembroke.
Cardigan.
Montgomery
Denbigh.
Flint.
Carnarvan.
Angliſey, and
Perthoneſh.

30 No fine, proclamations vpon fines, or common Recoueries heretofore had, leuied, ſuffered, or paſſed, or hereafter to be had, leuied, ſuffered, or paſſed in any of the ſaid twelue Shires of Wales, Towne & Countie of Hauerford Weſt, or Counties Palantine, ſhall be reuerſed or reuerſable

For what Errors, fines and recoueries are not reuerſable.

reuerſable by any writ of Error, for falſe or incongrue Latine, raſure, interlining, miſentring of any warrant of Atturney, or of any Proclamation, miſreturning, or not returning of the Shiriſe, or other want of forme in wordes, and not in matter of ſubſtance. 27. Eliz. 9.

In what caſes
writs of Error
ſhalbe allowed.

31 Provided alwaies, that neither this Act, nor any thing therein contained, ſhall barre or exclude any perſon or perſons from any writ of Error which ſhall be had, taken, or purſued within ſiue yeeres next after the end of this Seſſion of this preſent Parliament, vpon any Fine or Recouerie heretofore had or ſuffered in any of the Courts afoſeſaid. Nor from any writ of Error which ſhall be had, taken, or purſued vpon any Fine or Recouerie heretofore leuied, acknowledged, or had, in any of the Courts afoſeſaid, within any of the ſaid twelue Shires of Wales, or Towne & Countie of Hauerford Weſt: Which Fine or Recouerie, or any part or parcell thereof now is, or at any time before the firſt day of Iune, which ſhall be in the yeere of our Lord God 1585. ſhall be exemplified vnder the Iudiciall ſeales of the ſaid Courts, at, or by the ſuit of any perſon that is or may be intituled to haue or ſue any writ of Error vpon any the ſame Fines or Recoueries ſo heretofore paſſed. Nor from any writ of Error which ſhall be had, taken, or purſued vpon any Fine or recouerie heretofore leuied, knowledged, or had in any of the Courts afoſeſaid, within any of the ſaid Countiees Palantine, which Fine or Recouerie, or any part or parcell thereof now is, or at any time before the ſaid firſt day of Iune, which ſhall be in the yeere of our Lord God 1585. ſhall be exemplified vnder the Seale of the ſame Countie Palantine, where the ſame Fine or Recouerie ſhall be ſo leuied, knowledged, or had, at, or by the ſuit of any perſon that is or may be intituled to haue, or ſue any writ of Error vpon the ſame Fine or Recouerie ſo heretofore paſſed. Nor to barre any Femme couert, or any perſon within the age of twentie one yeeres, or any perſon that is Non compos mentis, in priſon, or beyond the Seas, of, or from any writ of Error to be had or proſecuted for the reuerſing of any Fine or Recouerie heretofore paſſed, leuied, or ſuffered in any of the ſaid twelue Shires of Wales, Towne and Countie of Hauerford Weſt, or Countiees Palantine: So that ſuch Femme couert or her heires within ſeuē yeeres next after that ſhe become ſole, And ſuch perſon within the age of twentie one yeeres, or his heires within ſeuē yeeres next after he ſhall come and be of full age of twentie one yeeres, And ſuch perſon that is Non compos mentis, within ſeuē yeeres next after he ſhall become of Sane memorię, and in default thereof, the heires of ſuch perſon that is (Non compos mentis) within ſeuē yeeres next after the death of any ſuch perſon, being Non compos mentis, And ſuch perſon in priſon, or his heires within ſeuē yeeres next after the ſame perſon ſhall be at libertie, And ſuch perſon beyond the Seas, or his heires within ſeuē yeeres next after the retorne of ſuch perſon into this Realme of England,

or the death of the said person if he shall before his returne die in any foreign Countrey, shall sue, take, and prosecute their writs of Error, as their causes shall severally require for reuersing of any of the said Fines or Recoveries heretofore passed, leuied, or suffered. 27. Eliz. 9.

32 If any person or persons shall within the time and yeeres aforesaid, commence or sue his or their writs of Error, for the reuersing of any of the said Fines or Recoveries heretofore passed, which suit shall fortune to abate by the death of any of the parties to the same: Then it shall and may be lawfull for his and their heires at any time within one yeere next after the said seuen yeeres expired, to haue, sue, & take their writ of Error for the reuersing of euery such Fine and Recouerie. And if such heire be an Infant within the age of twentie one yeeres, then within one yeere next after the full age of such Infant: any thing in this Act &c. notwithstanding. 27. Eliz. 9.

A remedie for the heire, when the aunccestors dyeth hanging the suit.

33 Euery person that shall at any time hereafter take the knowledge of any Fine, or warrant of Atturney, of any tenant or vouchee for suffering any common Recouerie to be leuied, knowledged, passed, or had, within any of the said twelue Shires of Wales, Towne and Countie of Hauerford West, or Counties Palantine, or shall certifie them, or any of them, shall with the certificat of the Concord, or warrant of Atturney, certifie also the day and yeere wherein the same was acknowledged. And no person that taketh any such knowledge of any fine or warrant for any recouerie, shall be bound, or by any meanes enforced to certifie any such knowledge or warrant, except it be within one yeere next after the said knowledge taken. And no Clerke or Officer in any of the said twelue Shires of Wales, Towne and Countie of Hauerford West, or Counties Palantine, shall receiue any writ of Couenant, or writ of Entrie, or any other writ whereupon any Fine, or common Recouerie is hereafter to passe, vntil the day of the knowledge of the same fine & warrant shall appeare, in or by such certificat, vpon paine that euery Clerke that shall receiue any such writ, shall forfeit for euery time that he shall so offend the summe of xl.s. And no Atturment, in, or vpon any such fine, in any the Courts aforesaid shall be entered vpon record, except the partie mentioned to atturment therein, first haue appeared in the Court in person, or by atturney warranted by the handes of one of the Iustices of the same Court, vpon a writ of Quid iuris clamat, Quem redditum reddit, or Per que seruitia, as the cause requireth. And euery entrie of Atturment hereafter to be made in any of the Courts aforesaid, wherein there shall be no apparance as aforesaid, shall be vtterly void and of none effect without any writ of Error, or other meanes vled for auoyding thereof. 27. Eliz. 9.

The day and yeere of the knowledge of a fine or warrant of Atturney for a recouerie shall be certified.

Atturment.

34 There shall be for euer an Office for the Inrolments aforesaid in euery of the said twelue Shires of Wales, Towne and Countie of Hauerford

The Office of Inrolments.

Fines.

uerford West, and Counties Palantine, which shall be and continue an Office for ever, called the Office of Inrolments of Fines and Recoveries. And the Justices of the said twelve Shires of Wales, Towne and Countie of Hauerford West, and Counties Palantine for the time being, that is to wit, euery of them within the limits and precincts of their severall authorities and commissions, shall haue and take the care and charge, of and for the Inrolments aforesaid, and shall haue and enioy the said Office, and the disposition thereof, and carefully see and looke to the execution thereof. And in consideration of their charges, paine, and trauel therein, shall haue and take the summes of money hereafter following, and no more: That is to say, for the Inrolment and examination of euery Fine, and the partes thereof v.s. And for the inrolment and examination of euery Recouerie, and the partes thereof v.s. And for euery exemplification of the inrolment of euery Fine & the parts thereof iii.s. iiii. d. And for euery exemplification of the inrolment of euery Recouerie, & the partes thereof iii. s. iiii. d. And for the Search of the Roules for one yeere iiii. d. And for the copie of one sheete of paper containing xiiii. lines, iiii. d. And the Justices of the said Courtes of Assises, or great Sessions for the time being, within the said twelve Shires of Wales, Towne and Countie of Hauerford West, and Counties Palantine, or any one of them within the severall limits and precincts of their said severall commissions, shall examine the inrolment of euery such Fine and Recouerie, and of the partes thereof, & after such examination of the inrolment of euery such Fine & Recouerie, and of the partes thereof, shall immediatly write his name that so examineth, with his owne hand in the roule thereof, vpon paine that the said Justices shall forfeit to the Queenes Maiestie the summe of xl. s. for euery time that they, or one of them shall make default of such examination, or writing of his or their name, as is aforesaid. And it shall & may be lawful to and for the said Justices, or any of them for the time being, to take order in all thinges that shall be conuenient and needful for the inrolments aforesaid. And vpon examination in the said Courts to assesse such fine or amerciamento vpon any Shirife, Clerk, Deputie, Atturney, or other person for his and their misprision, contempt, and negligence, for not doing, or misdoing in any thing, of, in, or concerning the said Fines or Recoveries, or any part of them, or either of them, as by the said Justices for the time being, or any one of them shall be thought meete and conuenient. The said fine and amerciamento to be estreated amongst other fines & amerciements of that Court, where such offence or misprision shall be committed. 27. Eliz. 9.

Fees for inrolments and exemplifications of fines & recoveries.

Assessing of fines for misprision, contempt, or negligence.

The exemplification of as good force, as the originall record.

35 The exemplification of any such inrolment of any fine or recouerie, or of any part thereof, within any of the said twelve Shires of Wales, or of the said Towne & Countie of Hauerford West, under the Iudiciall seale of the said Shire, Towne, or Countie where such fine or

recouerie

recouerie was leuied, had, or passed, and the exemplification of any such inroulment of any Fine or Recouerie, or of any part thereof, within any of the said Countiees Palantine, vnder the Seale of that Countie Palantine, where such fine or recouerie was leuied, had, or passed, shall be of as good force and validitie in the Law, to all intents, respects, and purposes, for such part, and so much of any of them, as shall be so exemplified, as the verie originall record it selfe being extant and remayning, were or ought by Law to be: 29. Eliz. 9.

36 It shall be lawfull for the Iustices Clerkes, authorized by their warrant in the said seuerall offices and places, where the same Records or any of them doe or shall remaine, to write out, or inroule the same Records, and euery part thereof. And the said Records, nor any of them, for the writing out, or making of the Rolles thereof, by the Clerkes of the said Iustices, shall be brought, or carried forth of the said offices or places. 27. Eliz. 9.

Records shall not be removed forth of the offices.

37 None of the said Fines or Recoueries aforesaid heretofore leuied, passed, or suffered, which shall be exemplified vnder any Iudiciall Seale of any of the said Shires of Wales, or Towne or Countie of Haverford West, or vnder the Seale of any of the said Countiees Palantine, according to the forme of this Act, shall after such exemplifications had, be in any wise amended. 27. Eliz. 9.

No amendment of fine or recouerie after exemplification.

38 This Act or any thing therein containd, shall not in any wise extend to the prejudice of the heires of Sir Edward Grey Knight, Lord Powys deceased, or of Sir Edward Herbert Knight, or his heires or assignes, Henry Vernon, or John Vernon, Esquires, or their heires or assignes, for, or concerning any Fine leuied, or Recouerie suffered, by or against the said Lord Powys, of any Baronies, honors, manors, lands, tenements, or hereditaments, in the Countie of Mountgomerie, or any exemplification thereof, or for, or concerning any writ of Error brought, or to be brought for the reuersing of any such Fine or Recouerie: But they and euery of them shall haue and enioy the same right, title, benefite, and aduantage to all intents and purposes, as if this Act had neuer bin had or made. 27. Eliz. 9.

Lord Powys. Herbert. Vernon.

39 And forasmuch as vpon great examination it appeareth, that diuers Fines and Recoueries haue bin heretofore leuied and suffered of diuers Castles, manors, messuages, landes, tenements, and hereditaments, which sometime where the inheritance of George sometime Earle of Kent, great graundfather to Henry now Earle of Kent, in vse, possession, reuerision, or remainder, whereunto the said now Earle of Kent pretendeth title, in vse, possession, reuerision, or remainder, which if they be erroneous, as is pretended, do much varie from the generall cause and mischiefe, for which this Statute meaneth to prouide: Therefore this Statute, nor any thing therein contained, shall not extend to take away

The Earle of Kent.

any writ of Error, whereunto any person or persons is now, or hereafter shall be lawfully intituled to haue for the reuerſing of the ſaid Fines and Recoueries, or any of them heretofore leuied or ſuffered of any of the ſaid caſtles, manors, meſuages, lands, tenements, or hereditaments, which late were any part or parcell of the inheritance of the ſaid George ſometime Earle of Kent, in uſe, poſſeſſion, reuerſion, or remainder: any thing in this ſtatute &c. notwithstanding. 27. Eliz. 9.

1 That writs of Couenant, and all other writs may be ſued for Fines, to be leuied of any Eccleſiaſticall profite. S. Tythes 23.

2 The fee of the Chirographer of the Common place for a Fine leuied. S. Chirographer 1.

3 That writs ſhall be inrolled whereupon Fines ſhall be leuied. S. Chirographer 2.

4 For the leuying of Fines in Wales, making the Proclamations, and paying the Queenes ſiluer, and other Fines. S. Wales 21. 22. 23.

Fish, Fishers.

Taking of
Salmons.

Whoſoeuer taketh Salmons in any water, wherein Salmons be commonly caught, from the Natiuitie of our Ladie, vntill Saint Martines day (except in the Countie of Lancaſter, where they may be taken at all times, ſauing betwixt Michaelmas and Candelmas, or taketh, or deſtroyeth by nets or other ingins yong Salmons at Mil pooles, or in any other places, from the miſt of Aprill, vntill the feaſt of Saint Iohn Baptiſt, or doth put in any waters of this Realme, at any time of the yeere, any nets or ingins whatſoeuer, by the which the frie or breede of Salmons, Lampries, or other Fiſh may in any wiſe be taken or deſtroyed, ſhall for the firſt offence haue his Nets burned, for the ſecond impriſoned a quarter of a yeere, and for the third a whole yeere, and ſo further as the trespas increaſeth: Which puniſhments for offences in freſh waters ſhall be executed by Conſeruatoꝝ ſwozne. 13. Ed. 1. 46. 13. Rich. 2. 19. The Juſtices of peace ſhal be Conſeruatoꝝ of this Statute in the Counties where they be Juſtices, and they ſhall appoint vnderconſeruatoꝝ which ſhall be ſwozne. And if any be conuict of an offence committed contrarie to this Statute, he ſhall be impriſoned, and make fine at the Juſtices diſcretion. And the Maior of London ſhall haue the conſeruatiſon of this Statute in the Riuers of Thames and Medway. 17. Rich. 2. 9.

Conſeruatoꝝ.

Exactions on
them which
trauell for fiſh.

2 If the Admirall, or any Officer or miniſter of the Admiraltie, ſhall exact, receiue, or take by himſelfe, his ſeruant or deputie, of any Marchant or Fiſherman, any ſumme of money, doles or ſhares of fiſh, or any other reward, or benefite, for any licence, to paſſe this Realme into Iſeland, Newfoundland, Ireland, or other places commodious for the getting of Fiſh, or for any other reſpect concerning the ſaid voyages, he ſhall forfeit for the firſt offence, treble the ſumme or value of the reward ſo taken, to the

the Queene and Informer &c. to be recovered by A. J. &c. wherein no W. &c. E. D. &c. and for the second offence, shall lose his office and make fine at the Queenes pleasure. 2. Ed. 6. 6.

3 Whosoever doth by any engine, cautel, waies, or meanes what-
soever, take and kill any yong broode, spawne, or frie of any Fish in any Taking of
spawne.
fludgate, pipe, at the tayle of any Mill, Weare, or in any Straites,
Streames, Brookes, Rivers, salt or fresh, or shall take in any of the fore-
said places, Kepper, or Shedder, Salmones or Trouts not being in sea-
son, shall forfeit for every offence xx. s. the fish so taken, and the Nets, Taking of
Salmons &
Trouts not
reasonable.
Engins, &c. wherewith he tooke the same. 1. Eliz. 17. 39. Eliz. 18.

4 Whosoever doth take and kill any Pickrell not being in length The length of
fish which may
be taken.
x. ynches fish, or more, or any Salmon not being xvi. ynches, or any
Trout not being viii. ynches, or any Barbel not being in length twelue
ynches, or more, or doth fish with any Net, Trammel, Kepe, Moe, Hiuie,
Creele, or other engine or deuise, but only with Net or Trammel, whereof
euery Meshe shall be two ynches and a halfe broad, (except angling) and
sauing for the only taking of Smelts, Loches, Minowes, Bulheads, Of what mesh
each net ought
to be.
Gudgeons, and Eles, in such places where they haue bin vsed to be taken
and killed, shall forfeit for every offence xx. s. the fish so taken, and the
vnlawfull Nets and Engins wherewith he tooke the same. 1. Eliz. 17.
39. Eliz. 18.

5 Provided that this Statute extend not to the fishing of the riuer Twede, Alke,
Aye.
of Twede, or of any water, whereof the Queene is answered any peere-
rent or profite, nor to the owners, farmors, or occupiers of the riuers of
Alke, or Aye, in the Countie of Donmouth. 1. Eliz. 17. 39. Eliz. 18.

6 The Lord Admirall of England, Maior of London, and euery other
person or persons, bodie politike and corporat, which haue or ought to
haue any conseruation of any Riuer, Streame, or Water, or punishment
of offences committed in any of them, hath authoritie to enquire by the
othes of twelue men or more, and to heare and determine all the offences
committed contrarie to the true meaning of this Act, within his iuris-
diction. 1. Eliz. 17. 39. Eliz. 18. to continue to the end of the next Par-
liament now next ensuing. S. Leetes 6. Iustices of peace 40.

7 Whosoever shall by day or night vnlawfullie without authoritie Destroying of
Pooles or
fishing.
breake, cut downe, cut out, or destroy the head or damme of anie Pond,
Poole, Boate, Stang, Stew, or seuerall Pit, wherein fish are or shall be
put, or stozed by the owner or possessor thereof, or do, or shall wrongfullie
fish in anie of the said seuerall Ponds, Pooles, &c. to the intent to destroy,
kill, take, or steale away any of the same fish against the wil of the owner
or possessor of the same, not hauing lawfull authoritie so to do, and being
thereof lawfully conuicted at the suit of the Queene &c. or the party grie-
ued, shall pay to the partie griued his treble damages, suffer imprison-
ment thre moneths, and then shall finde sufficient suertie for his good
abearing

Fish, and Fishers.

abearing against the Queene and all her liege people for the space of seven yeeres after, or els shall remaine in prison without baile or mainprise vntill he hath found sufficient suertie. And it shall be lawfull for the party griued, to sue and take his further remedie against euery such offender, for his losse & dammages before the Iustices of peace, Iustices of Assise, and Iustices of Oyer &c. or els where, in anie other the Queenes Courtes of Recoꝝd, and vpon satisfaction, or confession of the dammages, to release to the offender the suertiship of good abearing at any time within the seven yeeres. 5. Eliz. 2 1. See Iustice of peace 34.

Packing of
Salmon, and
the contents
of the vessels.

8 Whosoever selleth or putteth to sale any Salmon, by But, Barrell, halfe Barrell, or other Vessel, before it be seene except the But doe contain fower scoze and fower gallons, the Barrell xlii. the halfe Barrell xxi. gallons, well and faithfully packed, shall forfait for euery Vessel so lacking measure, vi. s. viii. d. And he that doth not pack the great Salmon by it selfe, and the small fish called Grilles by it selfe, but doth mingle the great Salmon with the Grilles, or broken bellied Salmon, shall forfait for euery vessel so packed and put to sale vi. s. viii. d. 22. Ed. 4. 2. 11. H. 7. 23.

Herrings.

9 Whosoever putteth to sale any Herring by Barrell, halfe Barrell, or Firkin, (except the Barrell containe two and thirtie gallons, the halfe Barrell and Firkin after the same rate,) and that the Herring be of one times taking and salting, and except it be well and iustly couched and packed in the middest, euery end, and part thereof, shall forfait for euery offence iii. s. iii. d. 22. Ed. 4. 2. 11. H. 7. 23. But the Assise of xxxii. gallons of wine measure, which is about xxviii. gallons by old Standerd, well packed, and contayning in euery barrell a thousand full Herring at the least, shall be taken for true and lawfull Assise of Herring barrells. 13. Eliz. 11. S. 3. Ed. 3. that sixe scoze Herrings be accompted a hundred, and ten thousand a last.

Celes.

10 Whosoever putteth to sale Celes, except the barrell do containe xlii. gallons, the halfe barrell & firkin after the rate, or minglet, packeth, and putteth to sale any red, galbeaten, mozen, or slipped Celes, with good Celes, shall forfait for euery such offence x. s. 22. Ed. 4. 2. 11. H. 7. 23.

How fish shall
be packed.

11 Whosoever putteth to sale any barrellled fish, except the countable fish, called tale fish be packed by it selfe, and the small fish called Grilles by it selfe, without mixture of them, and without packing of fish with broken bellies with tale fish, or small fish, Or doth lay tale fish or small fish double in packing, Or packeth any tale fish which doth not containe in length from the bone in the finne, to the third ioynt of the tayle, fixe and twentieth pynches at the least, Or packeth fish, the napes whereof be longer then to the little bone, which is vpon the great finne, or which fish is not splatted downe or opened to a handfull of the tayle, or the bone whereof is not taken away to the nauell of the same fish, shall

forfeit

forfait iii. s. iiii. d. for euery Barrell which shall be found not packed, sorted, mixt, naped, laid double, or not boned as is aforesaid &c. The one moitie of which said forfeitures shall be to the Queene, and the other to him or them that will seile or sue for the same by A. B. W. wherein no *W. E. P. &c.* 22. Ed. 4. 2. 11. H. 7. 23.

12 Euery Gaugeour, Packer, and Searcher, shall take no more for gauging of a barrell of Salmon, Herring, Fish, Celes, halfe barrell and firkin, then for euery piece q. and for his labour for searching and packing (if neede be) of a barrell of Salmon, from head to head i. d. and for boning, naping, and packing of a barrell of fish (if neede be) i. d. and for searching and packing of a barrell of Herring (if neede be) ii. d. and for searching and packing euery barrell of Celes ii. d. And so in halfe barrells and firkins of Herrings and Celes, they shall take according to the former rate. And if anie gaugeour, or searcher, or packer doe the contrarie, he shall lose his office, and also be imprisoned fortie daies. But the said searcher or packer, shall receiue nothing of the said fees, by colour of their office, but only for such Buts, Barrells &c. as by them shall be sufficientlie searched and packed, and were not sufficientlie packed before. 11. Hen. 7. 23.

13 It is not lawfull to anie person to buy of anie stranger bozne out of the Queenes obeisance, or out of anie strangers bottome, anie Herring being not sufficientlie salted, packed, and casked (Herrings brought into this Realme by reason of Shipwracke only except,) vpon paine to forfait the Herrings so bought, or the value thereof. 5. Eliz. 5. 35. Eliz. 7.

14 It is not lawfull to anie person to bring into this realme anie Cod, or Ling in barrells, or other caskes, but loose in bulke and by tale, to be sold within the realme, vpon paine to forfait all the Cod and Ling &c. or the value thereof. 5. Eliz. 5. 35. Eliz. 7. to continue till the end of the next parliament now next ensuing.

15 No fish taken or brought into this Realme by anie stranger, nor anie fish commonlie called Scottissh fish, or Flemmish fish, shall be dried within England to be sold, vpon paine of forfeiture of all such fish, or the value thereof, which forfeiture shall be to such person dwelling at anie towne where is anie Port, Peere, or Hauen, as will seile the same, or sue for the value in anie Court of Record, to be imploied to the repaire and maintenance of such Port, Peere, or Hauen, as is next to the place where the offence shall be done 13. Eliz. 11.

16 No Herring shall be bought or sold on the Sea, vntill the fishers be come to the Hauen with their Herrings, and that the Cable of their shippe be drawn to the land, and the sale of them shall be from the Sunne rising vntill the Sunne setting, and not before nor after, vpon paine of forfeit. thereof. 31. Ed. 3.

17 It shall and may be lawfull for all and euery her Maiesties subiects being owners of any Ships, Barks, or vessels, sayling with crosse sayles, to

What the gaugeour shall take for packing of fish.

What Herrings may be bought of strangers.

Cod and Ling shall be brought loose into this Realme.

Fish brought in by strangers shall not be dried in England.

The sale of Herrings.

Fish, and Fishers.

The Queenes
subiects may
transport fish
in Ships with
crosse sayles.

to receiue and take into their said Ships, Barks, or vessels, any Herrings or other fish, which any alien or stranger shall buy and prouide of any her Maiesties subiects within this realme, and the same Herrings and fish or any of them may transport into any parts beyond the seas, being in league or amitie with her Maiestie, in their said Ships or vessels with crosse sailles, so as the said aliens or strangers pay to her Maiestie her customes and duties for the same. 39. Eliz. 10.

What customs
Aliens shal pay
for salted fish
and herrings.

18 All aliens & strangers shall from time to time pay to her Maiestie for all salted fish, and salted herrings, to be brought into this realme all such like customes, & impositions, as are or shalbe imposed or set vpon her Maiesties subiects in those forreine Regions & Countreyes, Ports, & Towns, from whence the said salted fish & salted herrings, shalbe shipped & brought for the like fishes and herrings, ouer and besides the ordinary Customes which haue beene paid to her Maiestie for the same. 39. Eliz. 10.

Bringing into
this Realme
vnholsome fish.

19 If any Alien, or Stranger borne, or any Denizen, or natural borne subiect of this realme, shal bring into any Hauen, Port, Creeke, or Town of this realme any salt fish or salt herrings, which shal not be good, sweet, seasonable, & meet for mens meate, and shall offer the same to be sould, and shalbe warned by any officer of such Port, Hauen, or Towne, where the same shalbe offered to be sould, that the same be not seasonable nor meete for mens meate. Then if he or they shal after that, offer any of the said vnseasonable fish to be sould to any person within this realme, Or being an Alien borne, and no denizen, shall not depart with the same from the said Hauen, Port or Towne, so soone as conueniencie will serue, then all and euery person, owners thereof, shall loose and forfeit to our said soueraigne Lady, all the said vnseasonable fish vnnmeete for mens meate as before is said. 39. Eliz. 10.

Ordinances of
Companyes
to restraine
taking, buying
or selling of
fish.

20 All Ordinances of the Fishmongers of London, or of any other Company, or Corporation whatsoever, made or to be made, for restraint of any person to take or sel fish, or to buy or prouide any fish of any Merchant or other within this realme, shalbe repealed and void. And that euery person, or body corporate, that shall make or execute any such ordinance or restraint, shall for euery such offence forfeit one hundred pounds, the one moitie thereof to the Queenes Maiestie, her heires, & successors, and the other moitie to the partie grieved, that wil sue for the same, by A of Dett in any Court of Record wherein no W. E. P. &c. 39. Eliz. 10. To endure no longer then to the end of the next Parliament ensuing.

Sea fish may
be sold vpon
any day ex-
cept Sunday.

21 It shall and may be lawfull to and for euery of the Queenes subiects, to vtter and sell all maner of Sea Fish, vpon any flesh day in the weeke other then the Sundayes, in euery Citie, Borough, Towne corporate, or Market Towne, whatsoever within this Realme: any charter, prescription, &c. notwithstanding, 27. Eliz. 11. 35. Eliz. 7. to continue till the end of this next Parliament now next ensuing.

- 1 For the transporting of Herring and other Sea Fish. See Corne 1. Shippes 1.
- 2 For restraining or taking Toll of Fish brought into this Realme. S. Shippes 2.
- 3 That no Fisherman shall anker vpon the maine Sea, in the time of the common fishing. S. Shippes 6.
- 4 That no Fisherman shall be compelled to serue as a souldier, or as a mariner, but in certaine cases. S. Mariners 2. 3.
- 5 That none of the Queenes Purueyors shall take any Fish from any man, that taketh the same in any English mans ship. S. Purueyors 24.
- 6 What Fish may be transported without Custome. S. Custome 5.

Fish dayes.

It shall not be lawfull to any person within this Realme, to eate any flesh vpon any dayes now vsually obserued as Fish daies, (vpon paine to forfait xx. s. for euery time he shall offend, or els suffer one moneths close imprisonment, without bayle or mainprise. 35. Eliz. 7.) And euery person within whose house any such offence shall be done, and being priue or knowing thereof, and not effectually punishing, or disclosing the same to some publike Officer, hauing authoritie to punish the same, for euery such offence (shall forfait xiii. s. iiii. d. 35. Eliz. 7.) All which forfeitures for not abstayning from meates shall be deuided into iii. equall partes: That is, one part to the vse of the Queene, the other to the Informer, the third to the common vse of the parish, where the offence shall be committed, and to be leuied by the Churchwardens after any conuiction in that behalfe. 5. Eliz. 5.

No flesh shall
be eaten on
Fish dayes.

2 No Inholder, Tauerneer, Alehouse keeper, common Waiter, common Cooke, or common Table keeper, shall utter or put to sale, or cause to be uttered or put to sale, vpon any Fridayes, Saterdayes, or dayes appointed by former lawes to be Fishdayes (not being Christmas day) or vpon any day in the time of Lent, any kind of flesh victuals, except it be to such person or persons, resorting to his or their houses, as haue, or shall haue licence to eate the same, (according to the tenor and true meaning of the Statute made 5. Eliz. 5.) vpon paine of forfeiture of v. li. and shall also suffer ten dayes imprisonment without baile, mainprise, or remouer, for euery time so offending: one third part thereof to be to the Queene, her heires &c. one other third part thereof to the Lord or Lords of the Leete, for the time being, where such offence shall be committed, and the other third part thereof, to him or them that will sue for the same in any of her Maiesties Courts of Record by A. B. P. or J. wherein no W. C. P. &c. 27. Eliz. 11. 35. Eliz. 7.

No flesh shall
be uttered on
Fish dayes.

3 But this Act concerning eating of flesh, shall not extend to any persons hauing speciall licence, vpon causes contayned in the same, and graunted according to the Lawes of this Realme, euery of which licen-

Conditions
vpon licences.

Fish dayes.

ces shall be void, vnlesse the same containe these conditions, viz. Euery licence made to any person of the degree of a Lord of the Parliament and his wife, shall be vpon condition that they shall pay to the pooze mens bore within the Parish where they remaine &c. in the feast of the Purification of our Ladie, or within sixe dayes after, twentie sixe shillings eight pence, and to be pated wythin one moneth next after the same Feast, vpon paine of forfaiture of the same licence. A Knight and his wife shall pay yeerely thirteene shillings fower pence. Euery person vnder the saide degree shall pay yeerely sixe shillings eight pence to the said vse at the foresaid time, and vpon the aforesaid condition. 5. Eliz. 5. 27. Eliz. 11. 35. Eliz. 7.

Licences to
sick persons.

4 All persons, which by notozious sicknesse shall be enforced, for the recouerie of their health, to eat flesh for the time of their sicknesse, shall be licenced by the Byshop of the Diocesse, or by the Parson, Vicar, or Curat of such Parish where such person is sicke, or of one of the next Parish adioyning (if there be no Curat &c. in the same Parish, or if he be wilfull) which licence shall be signed with the hand of the Bishop, Parson &c. and endure no longer then the time of sicknesse. And if the sicknesse continue aboue eight dayes after the licence graunted, it shall be registred in the Church booke, wyth the knowledge of one of the Churchwardens. And the partie licenced, shall giue to the Curate fower pence for euerie entrie, and it shall endure no longer, but for his sicknesse. And if any licence by any Parson, Vicar, or Curat be graunter to any person, other then such as evidently appeare to haue neede thereof by reason of their sicknesse, not onely euery such licence shall be void, but also euery such Parson, Curat, or Vicar, shall forfait for euery such licence otherwise graunted, five Markes. 5. Eliz. 5. 27. Eliz. 11. 35. Eliz. 7.

Beefe and
Deale excep-
ted.

5 No licence shall exterd to the eating of any Beeffe, at any time of the yeere, nor to the eating of any Deale, in any yeere from the Feast of Saint Michael the Archangell, vnto the first day of May. 5. Eliz. 5. 27. Eliz. 11. 35. Eliz. 7.

For one dish of
flesh, one dish
of Sea fish.

6 Such persons as haue, vpon good consideration, any lawfull licence to eat flesh vpon any fish day, be bound to haue for euery one dish of flesh serued to be eaten at their table, one vsuall dish of Sea fish, fressh or salt, to be likewise serued at the same table, and to be eaten or spent without fraud or couin, as the like kind is or shall be vsually eaten, or spent on Saterdaies (except such persons as for sicknesse, shall for that time be licenced by the Byshop, Curat, or &c. or by reason of age, or other impediment, allowed heretofore by the Ecclesiasticall Lawes of thys Realme) vpon the paine aforesaid. 5. Eliz. 5. 27. Eliz. 11. 35. Eliz. 7. to continue till the end of the next Parliament now next ensuing.

1 That he which saith, that the eating of Fish, or forbearing of flesh is the

the seruice of God, shall be punished as a spreader of false newes. See Newes 2.

Force, and forcible entry.

Whoſoener maketh his entrie into any lands and tenements, but in caſe where his entrie is giuen by the law, & that in peaceable and eaſie maner, and not with ſtrong hand and multitude of people, and thereof is conuicted, ſhall be impriſoned, and pay a fine at the Queenes pleaſure. 5. Rich. 2. 7. The like proces ſhall be awarded in any action brought vpon this Statute as in a common action of treſpaſſe at the common Law. 23. Hen. 8. 14. If the plaintife in this action after the appearance of the defendanſt be nonſuit, or any verdict paſſe againſt him, the defendanſt ſhall recouer coſtes againſt the plaintife. 23. H. 8. 15.

The puniſhment of forcible entries.

2 Whoſoener doth enter with force into any lands or tenements, or into any benefices or offices of the Church, or doth enter peaceable, and after doth hold them with force, vpon complaint thereof made to one or more Juſtices of the peace of the County, or to the Maior, Bailif, Sherife, Juſtices or Juſtice of peace of the Citie, Towne, or Borough hauing Franchiſe, where ſuch forcible entrie is made, the ſaid Juſtice, Maior, or &c. ſhall within conuenient time take ſufficient power of the ſame Countie, Citie, &c. and at the coſtes of the plaintife, go to the place where the force is made. And if he do finde any that made ſuch forcible entrie, or that hold the place with force after peaceable entrie made, he ſhall take the offendors, and commit them to the next Gaole, there to remaine conuict by record of the ſame Juſtice, untill they haue paied a fine to the Queene. And whether the parties which made ſuch entries be preſent, or gone at the coming of the Juſtice, the ſaid Juſtice, Maior, &c. ſhall in ſome good Towne or conuenient place, neere vnto the place where ſuch force was made, inquire by a ſufficient Iurie of the ſame Countie, Citie, &c. of them which made ſuch forcible entries. And if it be found before them, that any haue made entrie contrarie to this ſtatute, the ſaid Juſtice, Maior, &c. ſhall reſeiſe the ſaid lands or tenements ſo entred vpon, & thereof put the partie in poſſeſſion, which in ſuch ſort was put out. 15. Rich. 2. 2. 8. Hen. 6. 9. S. Juſtice of peace 89.

Forcible entry, or forcible detaining of land.

3 And if any perſon after ſuch entrie or holding with force, will make a feoffement, or other diſcontinuance to any Lord or other perſon to haue maintenance therein, the ſame is utterly void. And alſo in the caſes aforeſaid, the partie grieued may haue an Aſſiſe of Nouel diſſeiſon, or an Action of treſpas againſt the diſſeiſor, and if the defendanſt be attainted of force, he ſhall anſwer to the plaintife, his treble dammages, and alſo pay a fine to the Queene 8. H. 6. 9. 1. R. 2. 9.

A feoffement of lands obtained by force.

4 Provided alwaies, that they which keepe their poſſeſſions with force in any lands and tenements, whereof they or their auncceſtors, or they whoſe eſtate they haue in ſuch lands or tenements haue continued their

Three yeeres poſſeſſion.

Force, and forcible entry. Forests, Chases, &c.

their possessions in the same by three peeres or more, be not endamaged by force of this Statute. 8. Hen. 6. 9. No restitution vpon any Indictment of forcible entrie, or holding with force shalbe made to any person or persons, if the person or persons so indicted hath had the occupation, or hath bin in quiet possession by the space of three whole peeres together next before the day of such indictment so found, and his, her, or their estate or estates therein not ended nor determined, which the party indicted shall and may alledge for stay of restitution, and restitution to stay vntill that be tried, if the other will denie or traaverse the same. And if the same allegation be tried against the same person or persons so indicted: then the same person or persons so indicted to pay such costes and damages to the other partie as shall be assessed by the Judges or Iustices, before whom the same shall be tried, the same costes and damages to be recovered and leuied as is vsuall for costes and damages contained in iudgements vpon other actions. 31. Eliz. 1. 1.

Each man shall help to remoue force.

Forcible entries by maintenance.

5 If the Sherife, or anie other of the Countie doe not attend vpon the Justice to goe and assist him, to arrest such offenders, he or they so offending, shall be imprisoned and paie a fine to the Queene. 15. R. 2. 2.

6 Whosoever maketh anie forcible entrie into another mans land in his owne right to his owne vse, or in anie other mans right to his vse by the way of maintenance, and thereof is attainted in an Assise at the suit of the partie griued, shall be one yeere imprisoned, and pay to the partie griued his double damages. And also shall answere to the partie griued, damages for his goods, and cattels, if vpon the said forcible disseison, he tooke away anie. 4. H. 4. 8.

1 What Iurors shall be returned to inquire of forcible entries. See Iurors. 1. 2.

2 That no discent after a forcible disseison shall take away any man entrie. S. Entrie. 1.

3 Where a speciall Assise is grauntable vpon a forcible entrie. S. Assise. 6.

4 For Riots, Routes, and vnlawfull assemblies, and all forces there vpon committed. S. Riots.

5 In what cases, in what places, and by what persons force and arme may not be vsed. S. Armour. 10. 11.

Forests, Chases, Parkes, Warrens.

The punishment for killing the Queenes deare.

Hunting disguised.

NO man shall loose life or member for killing of the Queenes deare but if he be taken therewith and convicted, he shall make a grievous fine (if he hath anie thing) if not, he shall be imprisoned a yeere and a day, and after shall be deliuered, if he can finde sureties, or otherwise he shall abiure &c. Charta forrest. 9. H. 3. 10. But to hunt in the night in any Forrest, Parke, or Warren, or with painted faces, visors, or other disguisings, to the intent he would not be knowen, and being examined before

one of the Queenes Counsel, or a Justice of peace of the same shire, to conceale the same offence, or any offender, is felonie. 1. H. 7. 7. S. Felony 24. Justice of peace 16.

2 The Forresters in whose Bailiwikes any trespassse done within the Queenes Forrests of Uert or Uenison shalbe committed, shall present the same trespassses at the next Swanimote befoze the Forresters, Uerdozs, Regardozs, Agistozs, & other Officers of the Forrest, which presentment shalbe made by the othes of Knights, & other good and lawfull men & not suspicious, of the parties adioyning, or neere where such trespassses shall be presented, and where the truth may best be knowen. And the truth being perfectly knowen, then such presentment by the consent of all the said officers, shall be solemnly written and Sealed with their Seales. And if any indictment be in other maner, the same shall be void. And no man shall be taken or imprisoned for Uert or Uenison, vnlesse he be taken with the maner, or indicted in forme aforesaid. And the chief Warden of the Forrest shall let him to mainprize, vntill the Fire of the Forrest, without taking any thing for his deliuerance. 34. Ed. 1. 1. Ed. 3. 8. And if any officer of the Forrest doth imprison any person, or doth compel any person to make any Obligation or ransome vnto him, against the ordinance aforesaid, and is thereof attainted, he shal pay to the party griued his double damages, and make fine to the Queene. 7. R. 2. 4. No Swanimot shalbe holden within this Realme, but thise in the yere, that is to say, in the beginning of xv. daies befoze the feast of S. Michael, when the Queens Agistozs shal come together, to agist her demesne woods: And about the feast of S. Martin in winter, when the Queenes Agistozs ought to receiue pawnage: And at those two Swanimotes, shall come together the Forsters, Uerdozs, and Agistozs, and none other by distresse. The third Swanimote shall be in the beginning of xv. daies befoze the feast of S. John Baptist, when the Q. Agistozs do meete to hunt her deere: And at this Swanimote shall meete the Forsters, Uerdozs, and none other by distresse: Nozouer, euerie fortie daies throught the yere, the Forsters, and Uerdozs shall meete, to see the attachments of the Forrest, as well for Uert, as for hunting by the presentment of the Forresters, & befoze them attached. And the said Swanimotes shall not be kept, but within the Counties, in which they haue vsed to be kept. Charta forest. 9. H. 3. 8.

The punishment of offenders.

Sw. imotes.

3 If any person do wrongfully, or vnlawfully by night or day, breake or enter into any Parke impaled, or other seuerall ground inclosed, with wal, pale, or hedge, vsed for the keeping, breeding, and cherishing of deere, & hunt, chase, or driue out, or take or kil any deere, within the said ground, he shall peelde to the partie griued his treble damages, suffer imprisonment by the space of thzee moneths, and then shall find sufficient suerties for his good abearing by the space of vii. yerres after, or els lie in prison vntill he hath found suerties. But this statute shall not extend to any Parke

Hunting deere in a Parke or other inclosed ground.

Forests, Chases, Parkes, Warrens.

or inclosed ground bled for deere, hereafter to be made without the grant or licence of the Q. her heirs, successors or progenitors: And it shalbe lawfull for y^e party grieved, to sue & take his further remedy against euery such offender for his losse and damages, before the Iustices of peace, Iustices of Assise, & Iustice of Dier &c. or elsewhere in any other the Queens courts of Record. And upon satisfaction or confession of the damages, to release the offender the suertiship of good abearing at any time within vii. yerres 5. Eliz. 2 I. S. West. I. 3. E. I. 20. That whosoever committeth trespassse in Parkes or Ponds, shall make great amends to the partie, be iii. yerres imprisoned, make fine at the Queenes pleasure, and find suertie that he shall not commit the like offence. And if he cannot find surety, he shall abiure, and if he flie and haue no land, he shalbe proclaimed and Outlawed, S. Iulice of peace 34.

Killing of offenders in forests, parkes, or warrens.

4 If any Forrester, Parker or Warrenner, find any offenders within his Bailiwick there wandring, and doing hurt, which after huy and crie leui- ed to keepe the Peace, and obey the Law, will not yeeld themselves to the same forrester &c. but wil flie & defend themselves by violence, Then though the Forresters &c. or any other being in their company to keepe the Queenes Peace, coming to arrest such offenders, do slay any of the said offenders, he shal neither suffer death, nor sustaine any other punishment therefore. But if any of the said forresters, parkers, or warreners, by reason of any contention, despite, or hatred before conceiued wil lay to any mans charge passing through his Bailwicke, that he came thither to do hurt, whereas he did not, neither was found wandering or offending, & so kill him, and thereof be conuicted, he shalbe punished for his death, as he ought to be punished for the death of another being in the Queenes Peace. 2 I. Ed. I.

Noble men may hunt the Queens game.

5 It is lawfull for euery Archbishop, Bishop, Earle, or Baron, coming to the Q. at her commaundement, and passing by her Forrest, to take one or two of her Deere by the view of the Foster, if he be present, or else he shall cause a horne to be blowen, least he should seeme to steale it. And likewise may they do, as they returne home. Charta forestæ 9. H. 3. 11.

Lawing of Dogs.

6 Dogs shalbe lawed euery iii. yerres when the range is made by the testimony of honest men, in those Forests where dogges haue bin bled to be lawed, & not elsewhere, viz. the three clawes of the forefoot shalbe cut off by the skin, & he whose dog is not found lawed, shall be amerced iii. s. But noe Dre shalbe taken for the lawing of dogs. Charta forest. 9. H. 3. 6.

The Jury shal giue their verdict where they receiue their charge.

7 No Jury shall be compelled against their willes, by threatnings, or imprisonment, to trauel from the place where their charge was giuen them, to giue their verdict, nor yet to giue their verdict otherwise then their conscience doth moue them, for any trespassse committed within the Forrest 7. R. 2. 3. Neither shall those persons which do remaine without the Forrest come before the Iustices of the Forrest by common summons, except they be impleaded, or pledges of any person or persons which be attached for the

the Forrest, Charta forest. 9. H. 3. 3.

8 Every Justice of the Queenes Forrests, Parkes, and Chases within this Realme, by their writing sealed with the Seale of their Office, shall make and appoint as many Deputie or Deputies for the exercising of the same Office of the Justices of the Forrests, as to such Justices from time to time shall be thought convenient, which deputie and deputies so appointed, shall have like authority to do and execute all things concerning the Queenes Forrests, Parkes, & Chases, and all other things concerning the Office of the Justice of the Forrests to all intents, & in as ample manner as the same Justice may lawfully doe, and as though the same Justice were there personally present. 2. H. 8. 35.

Every Justice of the Forrest, may make Deputies.

1 How each person may vse his Woods, ground, & other things which he hath within the Forest. S. Woods 23. 24. 25.

2 That officers of Forests shall not be sworne in Enquest. S. Iuries 4.

3 That a man having no Parke &c. of his owne, shall not keepe any Bucke stalles or Deere haies. S. Hunting 3.

4 That no man shall stalke, but in his owne ground. S. Hunting 4.

5 How long woods felled in a Parke or ground inclosed for deere shall be preserved from cattell, S. Woods 20.

6 That he which hath a Parke and Deere therein, shall be charged to keepe certaine Horses therein, S. Horses 1.

7 Where drifts shall be made of Forests or Chases, when, and by whom. S. Horses 7.

8 When a high way in or by a Forest or parke shall be enlarged. S. Highwaies 18.

Forfaitures.

If any person shall be indicted, or appealed, of, or for the death of any such euill disposed person, which attempteth feloniously to robbe or murder him in, or nigh any common highway, cartway, horseway, or footway, or in his mansion or dwelling place, or for y^e killing of him which attempteth burglarly to break his dwelling house in the night, & of the same by verdict shall be so found & tried, he shall loose neither lands, tenements, goods or cattels for the death of any such euill disposed person, but shall be fully discharged thereof, as if he were acquit of the death of the said person. 24. H. 8. 5.

No forfait for killing of certayne robbers or felons.

2 Every offender being lawfully convicted of high Treason, by verdict, confession, outlawry or presentment, shall forfeit to the D. all such lands, tenements and hereditaments, which he shall have in his owne right, in vse or possession of any estate of inheritance, at the time of such Treason committed or at any time after. 5. Ed. 6. 11. But there shall be no corruption of blood to any heire, nor the wife of the offender shall forfeit her dower, by the attainder of any person for any of the offences made treason by statute provided. 5. El. 1. for the assurance of the D. power ouer all estates, or by the statute provided 5. El. 11. against the clipping, washing, rounding or filing

Forfait by attainder of high Treason.

Forging of deedes and writings.

of Coine, or by the statute provided 18. El. 1. against the impairing of the Queenes Coine and other Coines currant within this Realme.

1 Where a woman shall forfait her land for making an vnlawfull contract of matrimonie. S. Women 10.

2 Where there shalbe forf. of land for committing or consenting to Rape, S. Rape 3.

3 Who shal haue the forfeitures of all felons goods and lands condemned, S. Prerog. 16.

4 Who shall haue the forf. of a Bishops tenants attainted during the vacation, S. Prerog 14.

5 That no person arrested and imprisoned shall forf. his goods before he be conuicted, &c. S. Sherifes 26.

Forging of deedes and writings.

Forging of any
deeds whereby
another's free-
hold shall be
troubled.

If any person or persons vpon his or their owne head and imagination, or by false conspiracie and fraude with others, shall wittingly, subtilly, and falsly forge or make, or subtilly cause, or wittingly assent to be forged or made any false deed, charter or writing sealed, Court roule, or the Will of any person or persons in writing, to the intent that the estate of freehold or inheritance, of any person or persons, of, in, or to any lands, tenements, or hereditaments, freehold or copihold, or the right, title, or interest of any person or persons, of, in, or to the same or any of them, shall or may be molested, troubled, defeated, recovered or charged, or shall pronounce, publish, or shew forth in euidence any such false and forged deed, charter, writing, Court roule, or wil, as true, knowing the same to be false and forged, to the intent aforesaid, & shall be thereof conuicted, either vpon action or actions of Forger of false deedes, founded vpon this statute, at the suit of the partie griued; or otherwise according to the course of the law, or vpon bil or information exhibited in the Starre chamber, he shal pay to the partie griued his double costs & damages, to be found or assessed in the Court where such conuiction shalbe, and also shal be set vpon the Willorie in some open Market towne, or open place, and there haue both his eares cut off, & his nostrils slit, cut and seared with a hot yron, so as they may remaine for a perpetuall marke of his falshood, and shal forf. to the D. the whole issues & profits of his lands, during his life, and shall suffer perpetuall imprisonment during his life. The said damages and costes to be recovered at the suit of the partie griued, to be first paid and leuied of the goods & cattels of the offender, and of the issues & profits of his lands &c. or of one or both of them, the title of the D. &c. notwithstanding. 5. Eliz. 14.

Forging a deed
whereby a lease
or annuite may
be claimed.

2 If any person or persons vpon his or their owne imagination, or by false conspiracie or fraud. with any other, shal wittingly, subtilly & falsly forge, or make, or wittingly, subtilly and falsly cause or assent to be made, & forged any false charter, deed or writing, to the intent that any person or persons shall or may haue or claime any estate or interest for terme of

peres,

peres, of, in or to any Manors, lands, tenemēts or hereditamēts not being copihold, or any annuity in fee simple, fee taile, for terme of life, liues or peres, or shall as is aforesaid forge, make or cause, or assent to be made or forged any obligation, or bil obligatory or any acquittance, release, or other discharge of any debt, account, action, suit, demaund or other thing personall: Or shall pronounce, publish, or giue in euidence any such false or forged charter, deed, writing, obligation, bil obligatory, acquittance, release or discharge, as true, knowing the same to be false & forged, & shalbe thercof conuict by any of y^e waies or means aforesaid: Then he shal pay to the partie griued, his double costes and damages to be found and assessed in such Court, where the said conuiction shalbe had, and also shal be set vpon the pillorie in some open Market towne, or other open place, & there haue one of his eares cut off, and also shall suffer imprisonment by the space of one whole yere without baile or mainprise. 5. El. 14.

Forging an obligation, acquittance, release.
Giuing in euidence a forged deede.

3 The party & parties griued by reason of any the offences aforesaid, shal & may at his and their pleasure, haue, & sue his action of Forger of false deedes, vpon this statute against any the offenders in the same, by originall writ out of the Chancery, & shall haue like proces vpon the same, as in cases of trespass at the Commonlaw, Or may at his pleasure take his suit against any such offenders in any the premisses, by bill, in the kings Bench, or in the Eschequer, wherein no E. J. W. &c. But if the defendant shall be conuicted for any the offences aforesaid, according to the order and forme aboue limited, & shall haue receiued punishment corporall, according to this Act, then he shall not eschoones be impeached for the same offences. But though the plaintife in any such action or bil to be sued, shal after verdict passed against the defendant release or discharge the iudgment or execution vpon the same, or otherwise suffer the same to be discontinued, yet neuertheles the same release, discharge or discontinuance shal extend only to discharge such costs & damages as the same plaintife should haue had against the defendāt, & the Iudges before whom the said action or suit shall be taken, shall & may proceed to Iudgement of and vpon the residue of the said penalties & forfeitures, and commaund execution vpon the same, the said discontinuance or other discharge notwithstanding. 5. El. 14.

General remedies for the partie griued.

No person twice impeached of one offence.

The pt release shal onely discharge his remedie.

4 If any person or persons being conuicted or condemned of any of the offences aforesaid, by any the waies or means aboue limited, shall after any such his or their conuiction eschoones comit any of the said offences in forme aforesaid, and shall be thereof conuicted or attainted, then euerie such second offence shalbe adiudged felony without benefit of Clergie or Sanctuarie: But there shall be no corruption of blood, disheritance of the heire, or forf. of dower by this felony, Sauing to euery person (other then the said offenders, and such as claime to their vses) all such rights, titles, and other profits which any of them shall haue, at the time of such conuiction or attainder or before, in or to any the lands &c. of any such person

The punishment for the second offence.

Others rights saved.

Forging of deeds &c. Forstallers, Ingrossers, &c.

conuicted. And all and euery Iustices of Oyer and determiner, and Iustices of Assise in their Circuits, and euery of them shall haue authoritie in their open and general Sessions to enquire of, heare and determine al and euery the offences aforesaid, committed or done within the limits of their Commission, & to make proces for the execution of the same, as they may doe against any person being indited before them of trespass, or lawfully conuicted thereof. 5. Eliz. 14.

These persons
are not charge-
able by this
statute.

5 But this Act shall not charge any Ordinary, or any of their Commissaries, Officials, Registers, or any other their Officers with any of the offences aforesaid, for putting their Seale of Office to any Will exhibited unto them, not knowing the same to be false or forged, or for writing of the said Will or probat of the same. Neither shall it be hurtfull to anie Proctor, Advocate, or Register of any Ecclesiasticall Court within this realme, for the writing, setting forth, or pleading of any Proxie made according to the Ecclesiasticall lawes or customes heretofore vied & allowed by the Ecclesiasticall courts of this realme for the apparance of any person cited to appeare in any of the said courts, nor to any Archdeacon or Official for putting their Autentique seale to the said Proxie, neither yet to any Judge Ecclesiasticall, for admitting the same. Neither shall this act extend to any Atturney, Lawier, or Counsailler that shal for his Client plead, shew forth or giue in euidence, any false and forged deed, Charter, Will, Court roule, or other writing, for true or good, being not party & priuy to the forging of the same, for the pleading, shewing forth, or giuing in euidence of the same. Neither shal this act extend to any person that shal plead or shew forth any deed or writing exemplified vnder the great Seale, or the seale of any other Autentique Court of this Realme, Nor shall extende to any Judge or Iustice, or other person that shall cause any seale of any court to be set to any such deed, charter, or writing inrouled, not knowing the same to be false or forged. Any thing in this act &c. notwithstanding. 5. Eliz. 4.

1 That a seruant taken with a forged testimoniall, shal be wipped as a Vagabond. S. Laborers. 8.

2 For getting other mens goods by a counterfait or forged token or letter. S. Counterf. 1

Foretallers, Ingrossers, Regrators.

Who is a
Foretaller.

Who soeuer doth buy or cause to be bought any marchandize, vitail or other thing coming by land or water toward any faire or market, to be sold in the same, or coming toward any citie, port, hauen, creeke or Rode of this Realme or Wales, from any part beyond the Sea, to be sold, or make any bargaine, contract or promise, for the hauing or buying of the same, or any part thereof so coming as is aforesaid, before the said marchandize, vitailles, or other thing shal be in the Market, faire, Citie, Port, Hauen, Creeke or Rode, ready to be sold, or shall make any motion by word, letter, message, or otherwise to any person or persons for the en-
hauing

hauling of the price, or dearer selling of any of the things aboue mentioned, or els disswade, moue, or stirre any person comming to the Faire or Market, to forbear to bring any of the things aboue mentioned, to any Faire, Market, Citie, &c. to be sold as is aforesaid, shalbe adiudged a forefaller. 5. Ed. 6. 14. An. 34. Ed. 1. it was enacted, that no forefaller should be suffered to dwell in a Towne, for he is a manifest oppressor of the poore, a public enemy of the Countrey, and whole common wealth.

2 Whosoever shall Regrate or get into his possession, in any Faire or Market, any corne, wine, fish, butter, cheese, candels, tallow, sheepe, lambs, calves, swine, pigs, geese, capons, hens, chickens, pigeons, conies or other dead vitail whatsoeuer, that shalbe brought to any Faire or Market within this Realme or Isles to be sold, & doth sell the same againe in any faire or Market holden in the same place, or in any other faire or Market within iiii. miles thereof, shalbe reputed a Regrator. 5. Ed. 6. 14. Who is a Regrator.

3 Whosoever doth ingrosse, or get into his handes by buying, contracting, or promise taking (other then by demise, grant or lease of land or tith) any corne growing in the fields, or any other corne, butter, cheese, fish, or other dead vitaille within England, to the intent to sell the same againe, shalbe taken an vnlawfull ingrosser. 5. Ed. 6. 14. Who is an Ingrosser.

4 Whosoever offendeth in any of the things before rehearsed, & being thereof duely conuicted, or attainted by the Lawes of this Realme, or after the forme hereafter mencioned, within ii. yerres next after such offence committed, shal for his first offence, suffer imprisonment by the space of ii. moneths without baile or mainprise, and forsaite the value of the goods, cattell & vitaille so by him bought or had: And being thereof once lawfully conuicted or attainted, shal for his second offence, being thereof elssoones lawfully conuicted &c. suffer imprisonment by the space of one halfe yere, without baile or mainprise, and shal loose the double value of the goods &c. so bought or had, as is aforesaid. And being twice conuicted of any of the said offences, shal elssoones offend the third time, and be thereof lawfully conuicted or attainted, he for his thirde offence shal be set on the Pillorie in the Citie, Towne or place where he shall dwell, and shal forsaite all his goods and cattell which he hath to his owne vse, and shal be committed to prison, and there remaine during the Queenes pleasure. But he that is once punished for any offence, shal not be elssoones troubled or punished for the same. 5. Ed. 6. 14. Who shall haue the forf. & how it shalbe leuied. S. Iustice of peace 31. Punishment of the offenders.

5 But this statute shall not extende to any Wines, Oiles, Sugars, Vitailles Spices, Currants, or other forreine vitailles brought from beyond the sea (Fish and Salt onely except.) 13. El. 25. brought from beyond the sea.

6 It shall not be adiudged any offence contrary to this statute, to take any cattell, corne, butter, cheese, or any of the aboue rehearsed thinges reserved vpon any lease, for life, liues, or yerres, or to buy any barley, big or otes, These persons for these causes may regrate or ingrosse.

Forestallers, Ingrossers, Regrators.

otes, the buyer whereof shall conuert the same in his house to mault or otemeale, Or for any Fishmonger, Butcher, or Poultier, for to buy any thing concerning their owne faculty which shall sell the same againe, vpon reasonable prices by retaille, or for any Inholder or Vitailer for the buying of wine, or other dead vitaille meet for mans sustenance, to sel the same againe by retaille, within his house, or to any of his neighbors, for their sustenance for reasonable prices, Or for the buying of any herring, dried or salted fish or Spzats, and sold for reasonable prices, Or for any of the D. subiects dwelling within one mile of the maine Sea, to buy any fish fresh or salted, & to sel the same againe at reasonable prices, Or for the buying of any cozne, fish, butter, or cheese by any Badger, Lader, Kidder, or Carrier, allowed by three Iustices of peace, of that countrey where &c. which shall sell the same againe in any faire or market, or to any vitailer, or to any other person for the prouision of his house, within one moneth after he bought them, Or for any common prouision made by any person of any of the aforesaid things for any citie, borough or towne corporat, or for the vitailing of any ship, Cattle or fozt, Or for to buy & prouide vitails necessary for the furniture & prouision of the inhabitants of the towne of Warwick, Holley Island, or of the Marches of England against Scotland, which shall be transported & conueied to such of the places aforesaid, as soone as wind & weather will serue, Or for a common & knowen drouer being licensed by three Iustices of peace of the County where he dwelleth, whereof one to be of the Quorum, to buy cattell in such Counttes where Dro- uers haue bin wont to buy and sell the same againe, at some markets or faires being distant at the least xl. miles from the place where he bought them, Or for any person being licensed by three Iustices of peace &c. to buy Cozne, Graine, or Cattel, to be caried by water from one port or place within England or Wales vnto another, if he do ship or imbarke the same within xl. daies after he hath bought or couenanted for the same, and with expedition as weather shall serue to transport the same, and doe bring a certificat from a Iustice of P. of the County, or Maior or Bailife of the towne corporat, & the customer, where such unlading shall be, testifying the same vnto the Customer & Comptroller of the Port where the same were imbarked, Or for euery person to buy, ingrosse and keepe in his house cozne, when wheat shall be commonly at the price of vi. s. viii. d. the quarter, or vnder, mault and barley at iii. s. iiii. d. Otes, or Otes maulted at ii. s. Pease or Beans at iiii. s. and Rie or Pastline at v. s. the quarter of London measure, or vnder, so that none of all the foresaid cozne, cattel, butter, cheese or other commodities be bought, couenanted &c. by forestalling. 5. Ed. 6. 14. 13. Eliz. 25.

7 This statute, or any other statute, made against forestallers, regrators and Ingrossers, shall not extend to any oile, wine, Sea fish unsalted, mud fish, and salt, as any buyer or buyers vpon the Sea, by way of forestal-
ling

ling or regrating, shall and doe bring in any English subjects ships, crai-
ers, or other vessels, and discharge in any Port or Haven within this Re-
alme. 5. El. 5. 27. El. 11. 35. Eliz. 7. to continue till the ende of the next
Parliament.

- 1 For Regrating of Butter and cheefe. S. Butter 1.
- 2 That no Butcher shall regrade any fat cattell. S. Butchers 1.
- 3 Who may buy Cattell and sel them againe, and within what time. S.
Cattell 1.
- 4 That he which buyeth corne for the change of his seede shall bring
in as much to the market. S. Corne 10.
- 5 Who may engrosse Tanned Leather and sell the same againe, and
who not. S. Leather 36.

Franchises and Liberties.

Every statute being in force made before 4 Februarij Anno 27. H. 8. a-
gainst sherifes, vnder sherifes, bailifes, or other ministers for making
or returning of panels of Iuries, or for due execution and serving of any
writ or proces, or for taking of fees, reformation of extortion, or for any o-
ther thing concerning their offices, and all paines & penalties contained in
euery such statute, shall be extended to all Stewardses, Bailifes, and other
Ministers, and Officers of Liberties and franchises hauing returnes of
writs, and execution thereof, in like maner as they extend to sherifes, vn-
der sherifes &c. as if the said Bailifes, Stewards &c. had bin particularly
named in such statutes, Sauing that the said Stewards, Bailifs of fran-
chises, their deputies or Clerkes may occupy their offices aboue one yere,
viz. for so long time as they be giuen to them. 27. H. 8. 24.

Statute promi-
sed for sherifs
shall extend to
bailifs of libe-
ties.

2 The Queenes Maiestie, her Steward, Marshall, Coroner, and all her
Ministers, shall & may keepe their courts for Justice, and execute their of-
fices as shall appertaine to them according to the lawes, customes and sta-
tutes of this Realme, in all places within this realme, as well within Li-
berties and franchises as without, within the Clerge accustomed to her
court, where her Highnes in her owne person shall come to rest or abide.
And the D. Clerke of the market, & none other during the same time, as
wel within Liberties as without, shall exercise the office of the Clerke of
the market, notwithstanding any priuiledge, grant &c. But this statut shall
not be prejudicial to the Liberties of the citie of London. 32. H. 8. 20.

Where the Q.
commeth, her
Courts shalbe
kept within
Franchises.

3 The amercliamentes for insufficient returns of writs or other proces
made by Stewardses or bailifes of Liberties, hauing returne of writs and
execution of the same, shall be set vpon the heads of such Stewards or bai-
lifs, not vpon the Sherifes. 27. H. 8. 24.

Clerke of the
Market.

Amercliament
for insufficiens
returnes by
bailifes of li-
berties.

- 1 That the Queenes Purueiour may take any vitailles within Franchise.
S. Purueiours 23.
- 2 That no person hath Franchise or authoritie to pardon felons, or ap-
point Iustices, but the Q. onely. S. Prerogatiue 17.

3 That

Fraudulent deedes, Gifts, &c.

- 3 That the Queene shal haue the fines and amerciaments forfeited by Bailifes and Stewards of franchises. S. Prerogative 20.
- 4 That Lords of liberties shall appoint two or three expiert men to search or seale Leather. S. Leather 25.
- 5 That the Queene may seise a Franchise for default of pursuit or arresting of Felons. S. Felonie 38.
- 6 That the Lord of a franchise where goodes bee shewed in a Faire or Market, vpon daies prohibited, shall haue the same goods. S. Faires 2.
- 7 In whose name all writs, Indictments and proces made within any Liberty, and in whose name the Teste of the same shalbe awarded. S. Prerogative 18.
- 8 For the executing and returning of writtes in Franchises. S. Returnes 3. 6. 7. 8
- 9 What persons, and of what sufficiencie shall be returned by Bailifes of Franchises to enquire of Riots. S. Riots 13.
- 10 In what time, Bailifes of Franchises shall array Assises and deliuer the Copies. S. Assise 8.
- 11 That the Sherife may not enter into any Franchise to execute their precept, which be Commissioners to enquire of the decay of Tillage. S. Sherifes 24.
- 12 Where the Sherife shall make his precept to a Bailife of a Franchise, and where he himselfe shall deliuer cattell impounded. S. Sherifes 30.

Fraudulent Deedes, Gifts, &c.

Fraudulent
deeds to auoid
other mens du-
ties.

And euery feoffement, gift, grant, bargain, alienation & conueiance of lands, tenements, hereditaments, goods & cattels, or of any of the, or of any lease, rent, Common, or other profit or charge out of the same lands, hereditaments, goods, &c. or any of the by writing or otherwise, And al and euery bond, suit, iudgement, and execution at any time had or made, sithence the beginning of our Soueraigne Ladie Queene Elizabeths raigne, or at any time hereafter to be had or made, which haue bin, and are deuised, and contriued of malice, fraud, conin, collusion or guile, to the intent &c. to delay, hinder, or defraud Creditors, and others of their iust and lawfull actions, suits, debts, accomptes, damages, penalties, forfeitures, hantors, mortuaries or relieves, shall be taken and deemed onely as against that person, his heires, executors, successors, or assignes, whose actions, suites, debts, accomptes, &c. by such guilefull, couenous or fraudulent deedes, deuises, practises as is aforesaid, are, shall or might be in any wise disturbed, hindered delayed or defrauded, to be cleerely void and of none effect, any colour, fained consideration, exprelling of vse, or any other matter to the contrary notwithstanding: But this statute shall not extend to any estate or interest in lands, leases goods, &c. lawfully assured vpon good consideration, and Bona fide, to any person or persons, bodies poli-

politique or corporat, not hauing at the tyme of such conueiance &c. anie knowledge of such fraud, collusion, as is aforesaid &c. 1.R.2.9.2.R.2.3. 13.El.5.29.El.5.

2 All and euery the parties to such fained or fraudulent seffement, gift, graunt, alienation, bargaine, conueiance bond, suit, iudgement, execution &c. or being priuie & knowing of the same, or any of them, which shall wittingly & willingly, put in vze, auowe, maintaine, iustifie or defend the same or any of them, as true, simple, and done or made Bona fide, and vpon good consideration, or shall alien or assigne any the landes, tenements, goods, leases &c. to them conueied, or any part thereof, shal forfait to the Queene &c. and the W. greiued by such fraudulent seffement, gift, bond, suit, &c. one yeres value of the said landes &c. Leases, rents, or other profits, and the whole value of the said goods and cattels, and so much money as shall be contained in such couenous and fained bond, to be recovered by A. J. B. W. &c. wherein no W. &c. E. W. &c. And being thereof lawfully convicted, shal suffer imprisonment one halfe yere, without baile or mainprise. 13.Eliz. 5.29.Eliz.5.

Partes to
fraudulent
deedes.

3 But common recoueries had against tenant in taile or other tenant of the freehold of lands, the reuerfion or remainder, or right of reuerfion or remainder whereof then shalbe in any other person, shal as touching such person, and his heires which hath the reuerfion or remainder thereof, be of like force, and none other, as the same shoul haue bin if this Act had not bin made, And no estate or conueiance, by reason whereof any person shall vse any voucher in any writ of Formedon, shalbe made boide by this Act: But euery such voucher in any writ of Formedon, shalbe of like force, as if this act had not bin made. 13.El.5.29.El.5.

Common reco-
ueries.

Voucher in
Formedon.

4 All and euery conueiance graunt, charge, lease, estate, incumbrance and limitation of vse or vles, of, in or out of any landes, tenements, or other hereditaments whatsoeuer, had or made at any time heretofore, sithence the beginning of the M. Maiesties raigne that now is, or at any time hereafter to be had or made, for the intet and of purpose to defraud and deceiue such person or persons, bodies politike or corporat, as haue purchased, or shall afterwarde purchase in fee simple, fee taile, for life, liues, or yeres, the same landes, tenements, & hereditaments, or any part or parcell thereof, so formerly conueied, graunted, leased, charged, incumbrzed or limited in vse, or to defraud and deceiue such as haue or shall purchase any rent, profit or commoditie, in, or out of the same, or any part thereof, shalbe deemed and taken onely as against that person and persons, bodies politike and corporat, his and their heires, successors, executors, administrators and assignes, & against all & euery other person and persons lawfully hauing or claiming by, from or vnder them, or any of them, which haue purchased or shall hereafter so purchase for money, or other good consideration the same landes, tenements or hereditaments, or any part or parcell thereof,

Fraudulent co-
nueiances to be
fraud purcha-
sers.

Fraudulent deedes, Gifts, &c.

or any rent, profit or commoditie in or out of the same, to be utterly holde, frustrate, and of none effect: Any pretence, colour, fained consideration, or expressing of any vse or vles to the contrarie notwithstanding. 27. Eliz. 4.

Parties to fraudulent conueiāces, which doe auow the same.

5 All and euerie the parties to such fained, couenous, and fraudulent giftes, grants, leases, charges or conueiāces befoze expressed, or being priuie & knowing of the same, or any of them, which shall wittingly put in vse, auowe, maintaine, iustifie or defend the same, or any of them, as true, simple, and done, had or made bona fide, or vpon good consideration, to the disturbance or hindzance of the said purchaser or purchasers, leasees, or grantees, or of or to the disturbance or hinderance of their heires, successors, executors, administrators, or assignes, or such as haue or shall lawfully claime any thing by, from or vnder them or any of them, shall incurre the penalty & forfaiture of one yeres value of the said lands, tenements & hereditaments so purchased or charged. The one moitie whereof to be to the Q. Maiesty, her heires and successors, and the other moity to the party or parties grieved by such fained and fraudulēt gift, grant, lease, conueiāce, incumbrance, or limitation of vse, to be recouered in any of the Q. Courts of record by A. of debt, B. B. or T. wherein no C. B. or W. &c. And also being thereof lawfully convicted, shall suffer imprisonment for one halfe yere without baile or mainprise. 27. Eliz. 4.

Conueiāces made vpon good consideration and bona fide.

6 This act, or any thing therein contained, shall not extende or be construed to impeach, defeat, make void or frustrate any conueiāce, assignement of lease, assurance, grant, charge, lease, estate, interest or limitation of vse or vles of, in, to, or out of any lands, tenements or hereditaments heretofore at any time had or made, or hereafter to be had or made vpon or for good consideration & bona fide, to any person or persons, bodies politique or corporat, Any thing befoze mentioned to the contrarie hereof notwithstanding. 27. Eliz. 4.

Conueiāces with condition of reuocation or alteration.

7 If any person or persons haue heretofore sithence the beginning of the Queenes Maiesties raigne that now is, made, or hereafter shall make any conueiāce, gift, graunt, demise, charge, limitation of vse or vles, or assurance of, in, or out of any landes, tenements or hereditaments, with any clause, pꝛouision, article, or condition of reuocation, determination, or alteration, at his or their will or pleasure of such conueiāce, assurance, grants, limitations of vles or estates, of, in, or out of the said lands, tenements or hereditaments, or of, in, or out of any part or parcell of them, contained or mentioned in any writing, deed, or Indenture of such assurance, conueiāce, graunt or gift, & after such conueiāce, graunt, gift, demise, charge, limitation of vles or assurance, so made or had, shall or do bargain, sell, demise, graunt, conuey, or charge the same lands, tenements, or hereditaments, or any parcel thereof, to any person or persons, bodies politique or corporat, for money or other good consideration paid or giuen, the

said

said first conueiance, assurance, gift, graunt, demise, charge or limitation not by him or them reuoked, made void, or altered, according to the power and authoritie reserved, or expressed vnto him or them, in and by the said secret conueiance, assurance, gift or graunt: Then the said former conueiance, assurance, gift, demise & grant as touching the said lands, tenements & hereditaments so after bargained, sold, conueied, demised or charged, against the said bargainees, vendees, lessees, grantees & euery of them, their heires, successours, executors, administrators and assignes, & against all and euery person and persons which haue, shall or may lawfully claime any thing, by, from, or vnder them or any of them, shall be deemed, taken & adjudged to be void, frustrat, and of none effect by vertue & force of this present act. 27. Eliz. 4.

8 Provided neuerthelesse, that no lawfull Mortgage, made or to bee made bona fide, & without fraud or couin vpon good consideration, shal be impeached or impaired by force of this Acte, but shall stande in the like force and effect as the same shoulde haue done, if this act had neuer bin had or made: Any thing in this act to the contrary, in any wise notwithstanding. 27. Eliz. 4.

9 This Act nor any thing therein contained, shal extend or be construed to make good any purchase, graunt, lease, charge or profit of, in, or out of any lands, tenements or hereditaments heretofore made void, defeated or vndone by reason of any former conueiance, graunt, or assurance, so as the partie or parties, or their heires or assignes, which haue so defeated or made void the same, were in actual possession the first day of this present Parliament, of, or in the said landes, tenementes or hereditaments, whereof, or out of which any such purchase, graunt, lease, charge, or profit was made. 27. Eliz. 4.

Assurances of lands defeated and the partie in possession before the statute.

10 This act, or any thing therein contained, shal not extend in any sort, to restraine or impaire the iurisdiction, power or authoritie of the Court of Starre chamber 27. Eliz. 4. 39. Eliz. 18. This statute made perpetuall by 39. Eliz. 18.

Authority of the Starre chamber.

1 For fraudulent deeds made by an Ecclesiastical person, to defeate his successors of their remedy for Dilapidations. S. Dilapidations 1.

2 That fraudulent conueiances made by Fugitiues shalbe voide against the Queene. S. Fugitiues 4.

3 For fraudulent conueiances to defeate the Lord of his Warde, marriage or reliefe. S. Wardes 1. 2. 24.

4 For fraudulent conueiances made of any Abbey, Chantry, Colledge, or free Chappell lands. S. Monasteries 4. 9. 25.

5 For Collateral and fraudulent assurances made of lands to the vse of any Church, Chappell &c. S. Mortmaine 8.

6 For fraudulent conueiance to defeate the Queene or any other of any enefit that may arise vnto them by the stat. of 23. Eliz. 1. S. Recusants 5.

7 That

7 That Statutes marchant and of the staple shalbe entred of record to detect fraud in them if any be intended. S. Statutes 15. 16.

Freehold.

Whosoeuer doth constraîne any person to appeare before the counsell of a Lord, Ladie, or any other, to answer for his freehold, or any thing touching his freehold, or for any other thing reall or personall, which belongeth to the Law of the Realme in any maner, shall forfait to the Queene xx. li. 15. R. 2. 12. 16. R. 2. 2. No man shall distraine his Freeholder, to answer for his freehold or any thing therunto belonging without the Queenes writ, nor shall cause his freeholder to sweare against his wil, for that no man can doe without the Queenes commandement. Marlb. 52. B. 3. 22.

Fuell.

The assise of
Fuel.

All Talwood, Billet, Fagot, & Coles to be made or put to sale within the Cities of London or Westminster, or in the suburbs of the same, shall keepe the Assises following, viz. every sacke of Coles shall containe 4. bushels of good and cleane Coles. And every Talshid shal contain in length 4. foote beside the carfe. And every Talshid named of one, to contain in greatnes within a foote of the middest xvi. inches about. And every Talship named of two, to contain in greatnes within a foot of the middest xxiii. inches about. And of every Talshid named of thzee to containe in greatnes within a foote of the middest xxviii. inches about. And every Talshid named of foure to containe in greatnes within a foote of the middest xxxiii. inches about. And every Talshid named of five to containe in greatnes within a foote of the midst xxxviii. inches about. And every Billet to contain in length thzee foote and foure inches. And every Billet named a single to contain vii. inches di. about. And every Billet named to be a cast, to containe x. inches about. And every Billet named of two Cast, to contain xiiii. inches about. And every Fagot bed to containe in length iii. foot, & the band of every such fagot, to be of xxiiii. inches about besides the knot. And it shalbe lawfull for every owner, without danger of any forfeiture, to make Billets of two Casts. And all Billets of two Casts to be made & put to sale, shall be of the Assise herein contained or moze, & shalbe marked onely within vi. inches of the midst thereof. And every Billet of one Cast to be made and put to sale, shalbe onely marked within foure inches of the end thereof, vpon paine that every maker and every seller that shall make any such Fuel or Coles, & put the same to sale, to forfait for every shid of Talwood, Billet, Fagot, or sacke of Coles put to sale, lacking of the assise aforesaid, iii. s. iiii. d. to the Q. and Informer, to be recovered by A. B. P. J. wherein no W. C. P. &c. 7. Ed. 6. 7.

None shall buy
Fuel, but such
as will burne
or retaille the
same.

2 No person or persons shall buy any Fuel, Coles or wood, but onely such as will burne or consume the same, or such persons as shall sell the same againe by retaille, to such as shal burne or consume the same for their owne

owne occuppyng without fraud or couyn, or Charfingers or Bargemen, vpon pain to forf. to the Q. & J. treble the value of all such wood, Coles & Fuel, as shalbe otherwise bought for any lucre or gaine, to be rec. by A. B. Altering the marke or assise of Fuel. P. J. wherein no A. C. P. And no person or persons shal alter any marke or assise of any of the said Fuel, marked or seised according to this statute, vpon paine of like forfaiture as is abouesaid. 7. Ed. 6. 7.

3 No person or persons shal yeeld, ne forfait any penalty herein contained, vnles action or suit be commenced for the same, within one whole yere next after the offence thereof committed: And if any cutter or maker as is aforesaid, or other that shall forfait any summe herein contained, shall not be able to yeeld such forfaiture or summe as is aforesaid, then such person thereof conuicted by witnesses or otherwise, to be set on a Pillory in the next market towne to the place where he shall so offend, by a Iustice of P. or any other of the Queenes officers, at a xi. of the clocke vpon the market day, with a Billet or fagot bounden to some part of his body, and so to be discharged of the said forfaiture. 7. Ed. 6. 7. The forf. and penaltie.

What woodes shall not be conuerted to Fuel for the making of Iron, See Iron.

Fugitiues ouer the Sea.

Who soeuer passeth out of the realme without the Queens licence, Departing the realme without the Queenes licence. (except Lords and great men of the realme, and true and notable marchants, and the Q. souldiers) shal forfait to the Q. all his goods. And the Master or Mariner of the ship, or of the vessell in which he shall carry beyond the Sea any person (but onely such as be before excepted,) without the Q. licence, & is therof conuicted, shal forfait to the Queene his said Vessel. And if the Searcher or Warden of any Port or Passage doe through negligence, or in other manner suffer wittingly any person to passe forth of the Realme (other then is before excepted) or any gold or siluer in money, Bullion, Plate, or Vessel to be caried forth of the Realme, and is thereof conuict, he shal forfait to the Q. his Office, & all his goods, and be imprisoned a whole yere 9. Ed. 3. 10. 5. R. 2. 2. See there, that no licence ought to be made to passe forth of the Realme, but onely in one of the ports of London, Sandwich, Dover, Southhampton, Plimmouth, Dartmouth, Bristol, S. Botolph, Kingston vpon Hul, New castle vpon Tyne, & the other ports & passages towards Ireland, & the Isles pertayning to the realme of England. Out of what Port each man ought to passe forth of this realme.

2 If any Subiect bozne within the Q. Dominions, or free Denizen of this realme, hath litchence the first day of the Q. raigne passed, or hereafter during the life of our Soueraigne Lady Q. Elizabeth shal passe out of England, Ireland, or any her Graces dominions at any place whatsoever, into any Countrey of any forreine Prince or Gouvernour without the Q. speciall licence, by writing vnder the Great Seale, Priuie Seale, & priuie Signet, & doth not returne into the realme of England, & there Departing the Realme & not returning vpon warning. yeeld

Fugitiues ouer the Sea.

yeeld his bodie to the custody & ward of the Sherife of the County where he shall arrine, or to some of the D. Priuie Counsaile, within five moneths next after proclamation made by the D. Haultie vnder her Great Seal, for the returne & the yeelding of the bodie of such person so as is aforesaid, departing without license, he shall forfeit to the D. the whole profits of all his manors, lands, tenements & hereditaments during his life, whereof he is seiled of any estate of freehold or inheritance in his owne right or his wiues, & also al his goods and cattels: And all the Ecclesiastical promotions of euery Spiritual person so offending shalbe vterly void, & the Patron may present to the same as though the Incubent were dead &c. But this Act shall not extend to any known Marchant of England, Ireland, or the Dominions of the same, or to any of their known seruants, Appretices, or Factors, or to any known Masters of ships, Mariners, Sailers or Gunners, concerning their departure out of the same without licence, into a forreine Dominion, for their only trade of marchandise, so that such Marchant, Seruant, Mariner, &c. shal not or haue not attempted any thing contrary to the duety of his allegiance, or to the prejudice or perill of the Queene, or the state of any of her Dominions, and shall yeeld his body vpon Proclamation for his returne. 13. Eliz. 3.

Spiritual persons.

Forfe. for not returning, his licence being expired.

In what sort the Queene may vse Fugitiues lands.

Restitution vpon submission.

Fraudulent gifts made by Fugitiues.

3 The like forfe. shall he make which at any time sithence the first day of the Queenes reigne hath departed, or during the Queenes life shall depart out of any of her Graces dominions by her licence into any forreine Countrey, and doth not returne and yeeld his body as is aforesaid, within five moneths next after the expiring of the time appointed by such licence, if he shalbe at his owne libertie & not restrained, or not licensed for a further tyme. 13. El. 3. And in both these cases during the time that the D. shall haue the profits of the said Fugitiues lands &c. she may let, set, and make grauntes by Copie of Court roule, vsuall woodsales, & other things to all intents & purposes, as a tenant Pur terme dauter vie lawfully may do. 14. El. 6. But if any offender that hath forfeited the profit of his lands will repent him of his offence, returne againe into England, yeeld him selfe to the Sherife of the Shire, or to any one of the Queens priuie Counsell, acknowledginge his fault, submitting himselfe to the Queenes obedience, and fully reconcile himselfe to true religion established within this realme, declaring his reconciliation to the Bishop of the Dioces, & shewing the same openly by comming to Diuine seruice appointed, and receiuing the holy Communion, then after one yere expired, he bringing to the Lord Chaunceloz or Keeper of the great Seale, a certificat from the Bishop of the Dioces, and the Curate of his Parish, of his vnfained reconciliation, shalbe restored to all his lands, and the profits thereof from thence forth to be due. 13. El. 3.

4 If any of the foresaid Fugitiues do by couin and fraud, make, cause or suffer to be made any recouerie, estate, grant, lease, or other conueyanc

etc. of his lands etc. or any gift, graunt, or other deuise of his goods and cattels, to the intent, and vpon priuie confidence, that the profits thereof may be imployed in such forme, and to such vles as he shall appoint, and that be found by Office to be couin etc. the said conueiances, giftes, and deuises shall be (as touching the Queenes interest and against her Grace) vtterly void. And she shall haue the said lands, goods, etc. as if the offendor were thereof actually seised or possessed: Sauing to all other persons, their heires, assignes, and successors (other then to the said Fugitiues and their assignes) all such right, title, interest, commoditie, etc. as any of them shall haue in the said lands before the departing, or not returning of such person. 13. El. 3. The not returning of euery such Fugitiue according to his Licence, and not hauing such let or excuse, as by the said Statute is allowed (without any further matter) was, is, and shall be taken & deemed a sufficient prooue of the precedent determination of the same partie not to returne according to his Licence: any thing to the contrarie hereof notwithstanding. 14. El. 6.

5 If any person to whom any estate, graunt, lease, or other conueyance is, or shall be made by any Fugitiue, of any lands, goods, etc. do not within iii. monethes next after Proclamation made in the Queenes name, vnder the Great Seale in any Countrey where the same lands etc. do lie, truly declare vpon his oath, either before the Queenes Commissioners for that cause authorized, or before the Barons of the Eschequer, or some of them, to what vse and intent such estates, graunts, and conueyances were made, according to the truth without concealment, he shall forfait to the Queene xx. li. and also be imprisoned during her pleasure. And if any person being sent for to be examined by the Barons of the Eschequer, or by Commissioners authorized vnder the Great Seale, to inquire of Fugitiues lands and goods, shall not appeare at the day and place to him appointed, hauing no lawfull excuse to the contrarie, or after apparance shall depart without licence of such as haue power to examine him, or shall refuse to answer to such Interrogatories as shall be ministred vnto him, touching Fugitiues lands, or goods, and the circumstances and dependants of the same, then he shall pay vnto the Queene such fine for the said contempt, as shall be assessed by such, before whom the said examination should be made. 13. Eliz. 3.

The grantees of Fugitiues shall vpon request declare the consideration.

6 If any person by reason of his conscience departeth out of the Realme without licence, or hauing licence, tarieth after the time appointed by Proclamation, be expired, and did not before, nor after his departure, conspire, and by open act declare any euill mind to the Queen her estate or quiet gouernement: Then the Lord Chauncelor or Keeper of the great Seale, vpon petition made, shall appoint for the maintenance of his wife and children, or any of them, a reasonable porcion of his lands, not vnder the fourth part, nor aboue the third, of the lands forfeited to the Queene by this

Provision for a Fugitiues wife and children.

Fugitiues ouer the Sea.

by this Act, during the life and absence of the Fugitiue, so that the said Fugitiue did not make sufficient conueyance and prouision for them before, by the iudgement of the said Lord Chaunceloz or Lord Keeper. 13. Eliz. 3.

Noblemen departing the Realme.

7 If any noble man being a Peere of this Realme, doe depart the Realme, whose departure shall not be contrarie to the lawes and statutes of this Realme, then he shall not incurre any paines or forfeitures prouided by this Act, vntlesse he be commaunded by the Queenes letters, vnder her priuie Seale or Signet to returne: And after such warning doe not repaire into this Realme, according to the tenor of the same letters within viii. monethes after the deliuerie of such letters vnto him: Or if such letters shall not be deliuered vnto him, so as he may well returne within viii. monethes after the sending thereof, then vntlesse he do returne within other viii. moneths next after Proclamation made, as is aboue appointed. And if any such Nobleman, which shal so depart out of this realm, & which doth not before his departure, nor after, practise, or deuise any thing against the Royall person of the Queene, or the quiet estate of any her dominions, doe returne into this Realme, and yeeld himselfe to two of the Queenes priuie Counsel, acknowledging his offence, then he shal be from thenceforth restozed to all the rents and profitcs of all his lands and hereditaments, which from thenceforth should grow due vnto the Queene by reason of this Act, and then the Queenes title to the profit of his landes by vertue onely of this Act, shall cease. 13. Eliz. 3.

Fugitiues lands answerable in the Eschequer.

8 All such Rents, Reuenues, Issues, Profitcs, and other things as already be comen or growen, or hereafter shall come or grow to the Q. for any the causes of forf. mencioned in the said former statute of 13. Eliz. or declared by this Act, shal be answered yeerely vnto the Queene in the Court of Eschequer, and shall be in the order, suruey, & rule of the same Court. And the Treasozer, Chaunceloz, and Barons of the said Court, or the moze part of them for the time being, wherof the Treasozer or Chaunceloz to be one, shall & may do, and cause to be done, all and euery such act and thing, as they shal thinke meete to be had, made, or done, for the demising, custodie, receiuing, ordering, and better answering to her Maiesties profite, of all such rents, reuenues, issues, profitcs, and other things, as now be comen, or growen, or hereafter shall come or grow to her Maiestie for any the causes of forf. aforesaid, according to the true intent & meaning of the said former Act, & this present statut. Prouided alwaies, that all lands, & tenements, rents, reuerstions, seruices, and leases, being at this time parcell of the possessions of the Duchy of Lancaster, or deriued out of the same, whereunto, or to the profitcs whereof the Q. her heires or successors in any wise is, or hereafter shal be intituled, either by authoritie of the said former Stat. of Fugitiues, or by this Stat. shall be from henceforth within the suruey, demising, & order of the Court of the said Duchy

Fugitiues lands within the Duchy.

of Lancaster in such maner and forme, as other the premisses bin assigned or appointed by authoritie of this Act, or by the said former Act, to be in the suruey, demising, and order of the said Court of Exchequer. And that the transcript of all offices and inquisitions concerning the premisses, to be within the suruey, demising, and order of the said Duchy of Lancaster, shall be certified and recozded in the said Court of the Duchy of Lancaster: any thing &c. notwithstanding. 14. Eliz. 6.

1 That an Englishman sworne subiect to a forraine Prince, shall pay all impositions as a Stranger. S. Custome &c. 12.

2 That none shall depart for any Conuocation or assemblie for Religion beyond the Sea. S. Conuocation 3.

Fustians.

VWhoener doth vse Irons on Fustians vnshorne, wherewith to breake off the nappe and cotten of the same, or any instruments, or other vnttrue subtile meane or sleight vpon any Fustian within this Realme, but onely the broad sheares, shall forfeit for euery default xx.s. to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. The Maior and Wardens of Sheremen of London, may enter & search the workmanship of all persons occuppying the broad sheare, aswell Fustians, as Cloth. And the execution of this Act to be aswell of Denizens as of Forreins & Strangers. 11. H. 7. 27.

Untrue sleights vied vpon Fustians.

2 It shall and may be lawfull, to, and for the Lord Maior of the Citie of London, or his sufficient Deputie, and to, and for the Master & Wardens of the mysterie of Clothworkers of London, or such discreete persons, as the said Master and Wardens of the said mysterie of Clothworkers for the time being, shall from time to time appoint, to enter & make search, as the said Maior of London, and Wardens of Sheremen might haue done together by the said Act in An 11. H. 7. vpon paine that the person, or persons, which shall make resistance herein, shall forfeit for euery such resistance xx.s. to the D. and J. to be recovered by A. B. P. J. in any of the D. courts of recozd, where the same may be determined after the course of the common Law, wherein no W. E. P. &c. 39. Eliz. 13.

Gold, Siluer, and Goldsmithes.

If any finour of Gold & Siluer, or partor of the same by fire or water, doth alay any fine Siluer or Gold, or doth sell the same in any other wise, or to any other person, but onely to Officers of Mintes, Changes, and Goldsmithes within this Realme, for augmentation, & amending of Coine & Plate, (the said Officers & Goldsmithes answering for the same as it is worth.) Or if any finour or partor doth sell to any person whatsoever, any maner of Siluer in masse moulded & alayed: Or if any finour of Siluer doth not put his seuerall marke vpon his fine Siluer, he so offending shall forfeit the same gold or siluer, or the value thereof to the Queene, and him that pzooueth the same. All fine Siluer which is parted & fined,

Alaying of Gold & Siluer, and selling the same.

The finenes of Siluer.

Gold, Siluer, and Goldsmithes.

must be made so fine that it may beare xii. d. waight of alay, & yet it wil be as good as starling. 4. H. 7. 2.

Melting of
alayng of
Siluer.

2 If any Goldsmith melt or alay any fine siluer, to be for any works, or other intent, but onely for making of Amels for diuers works of goldsmithyie, & for amending of plate to make it as good as starling or better, he shall forf. the same Siluer or the value thereof to the Queene and him that prooueth the same, & will sue for it in the Eschequer. 4. H. 7. 2.

Harnes of Siluer
shalbe touched & marked.

3 If any Goldsmith, Jeweller, or other that worketh harnes of Siluer within the Citie of London, doth set any of them to sale within the same Citie, befoze it be touched with the Touche, & also signed with the workmans marke, knowen to the Wardens of the same mysterie, or doth sel any workmanship of siluer, without it be as fine as the starling (except it neede Sowder, which shal be allowed accordyng as the same is necessarie to be wrought) he shall forf. the double value thereof to the Q. and J. 2. H. 6. 14.

Harnes as
fine as the
starling.

4 If the keeper of the Touche, doth touch any harnes of siluer with the Leopards head, which is not as fine in alay as the starling, he shall forf. the double value of the siluer so touched to the Q. & J. 2. H. 6. 14.

5 If any Goldsmith, worker of Siluer, or keeper of Touches in the Cities of Worke, New Caste vpon Tyne, Lincolne, Norwich, Bristow, Salisburie, or Couentrie (which haue diuers Touches) do set to sale, or touch any Siluer in other maner then is befoze ordeined for London, the offendor shall forf. double the value &c. 2. H. 6. 14.

Working of Siluer
not so fine
as the starling.

6 If any Goldsmith, or other worker of Siluer within the Realme of England, where no Touche is ordeined, doth worke any Siluer, except it be as fine in alay as the starling, he shall forf. the double value thereof to the Q. and J. And euery such Goldsmith, or worker of Siluer, must set his signe or marke vpon the same, befoze he put it to sale. 2. H. 6. 14.

Gilding.

7 Whosoever gildeth any sheaches or mettall but siluer, & the ornaments of the Church, or layeth any Siluer vpon any mettall, but onely vpon Knights spurres, and the apparell which belongeth to a Baron, or one aboue the estate of a Baron, shall forf. to the Queene ten times so much as the thing gilt is of value, and shall also be one yeere imprisoned. 8. H. 5. 3. But Artificers may worke ornaments of the Church of Copper and Latten, and gild or siluer the same, so that in the foote or other part, the Copper and Latten be plaine, that a man may see whereof it is made. 5. H. 4. 13. And whosoever doth gild any Siluer ware other then of the alay of the English starling, shall forf. to the Queene the value thereof. 2. H. 5. 4. S. Iustices of peace 46.

None shall
make both
white vessell
and gild.

8 No Goldsmith making white vessell, shall meddle with gilding, nor any vsing gilding, shall make any white vessell, vpon paine to forf. the value of the vessell so made or gilt to the Queene. 37. Ed. 3. 7.

9 If any Goldsmith doth suffer any vessell of Gold or Siluer to be part from him befoze it be assayed by the Wardens of the same Mysterie, and touched with the Leopards head, or doth set any stone in gold, except it be naturall, he shall be imprisoned, and make fine at the Queenes pleasure. 28. Ed. 1. 20.

Vessell of siluer and gold shal be assayed & touched.

10 No Goldsmith shall worke, sell, exchange, or cause to be wrought, sold, or exchanged any Plate or other Goldsmithes wares of Gold, lesse in finenelle, then that of twentie two Carottes, and shall vse no Sother, Amell, nor other stuffings whatsoeuer in any of their workes moze then is necessarte for the finishing of the same, nor shall take aboue the rate of xii. s. for the ounce of Gold (besides the fashion) moze then the Buyer shall or may be allowed for the same at the Queenes Exchange or Mint, vpon paine to forfait the value of the thing so sold or exchanged, to the Queene and partie grieved, to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 18. Eliz. 14.

The finenes of Goldsmithes wares of gold.

xij. s. an ounce for gold beside the fashion.

11 No Goldsmith shall make, sell, or exchange in any place wythin this Realme any Plate, or Goldsmithes wares of Siluer, lesse in finenelle then that of xi. ounces two penie waight, nor take aboue the rate of xii. s. for euery pound waight of Plate or wares of Siluer (beside the fashion) moze then the Buyer shall or may be allowed for the same at the Queenes Exchange or Mint. Nor shall put to sale, exchange, or sell any Plate or Goldsmithes worke of Siluer, befoze he hath set his owne marke to so much thereof, as conueniently may beare the same, vpon paine to forfait the value of the thing so sold, or exchanged, to the Q. and partie grieved, to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 18. Eliz. 14.

The finenes of Goldsmithes wares in siluer.

The Goldsmith shall set his marke to his worke.

12 If any Goldsmith shall make any goldsmiths worke or Plate, and the same shall be touched, marked, and allowed for good by the Wardens or Masters of that mysterie, and in the same there shall be found any falsehood or deceipt: Then the Wardens & Corporation of that mysterie for the time being, shall forf. and pay the value of the thing so exchanged or sold, to the Queene and partie grieved, to be recouered by A. J. &c. wherein no Wager &c. E. P. &c. 18. Eliz. 14.

Wardens allowing faultie ware.

1 That there shall be no more giuen for coyned Gold or Siluer, then it is currant by Proclamation. S. Money 1.

2 That gold or siluer may not be deliuered to any Aliens. S. Money 2.

3 That no man shall transport Gold or Siluer. S. Money 3.

4 Who may weare any Ornament of Gold, and who not. See Apparell 4. 5.

Gunnes and Crossebowes.

If any person doe shoote in any Crossebow, Handgun, Hagbut, or Demihake, or keepe any of them in his house, or elsewhere, except he or some other person to his vse, hath in his owne, or in his wiues right, lands, tenements, fees, annuities, or offices, to the peerely value of an C. li. he

Keeping or shooting in Gunnes.

Gunnes and Crossebowes.

shall forfeit for every offence x. li. to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 33. H. 8. 6.

The length of a handgunne, hagbut, demihake.

Who may take the Gunne or Crossebow from the offendor.

2 Every person which shall shoote in, carrie, keepe, vse, or haue in his house, or elsewhere, any Handgun, other then such as shall be in the stock and gunne of the length of one whole yard, or any Hagbut or Demihake, other then such as shall be in the stock and gunne of the length of three quarters of a yard, shall forfeit for every offence x. li. to the D. and J. And every person hauing lands, fees, annuities, or offices, to the yeerely value of an C. li. may seise and take every such Handgun, Hagbut, and Demihake, being of shorter length then is before limited from the offendor: And also every Crossebow from any person not hauing lands, offices, &c. to the value of an C. li. by peere, and retaine the same to his owne vse. Which Handgun, Hagbut, & Demihake, he which seiseth them, must breake within twentie dayes after seisure, or else he shall forfeit for euery of them xl. s. to the D. and J. &c. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 33. H. 8. 6.

Carrying a Crossebow bent, or gun charged.

3 Whosoever shall carrie, or haue in his iourney on foote or horsebacke any Crossebow bent, or Gunne charged or furnished with powder, fire, or touch for the same, except it be in time and seruice of warre, other then such as haue lands, annuities, fees, or offices, to the yeerely value of an C. li. shall forfeit for every offence x. li. to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 33. H. 8. 6.

Shooting in a citie or market town at a thing at large.

4 He that doth shoote with Handgun, Demihake, or Hagbut, at any thing at large, within a Citie, Borough, or Market towne, or within a quarter of a mile of either of them, except it be at a butte or bank of earth in a place conuenient, or for the defence of his person, or house, shall forfeit for every shoote x. li. to the D. and J. &c. 33. H. 8. 6. And if any person vnder the degree of a Lord of the Parliament, doth shoote in a Handgunne in a Citie, or Towne, at any marke vpon a church, house, or douerote, he shall forfeit for every offence x. li. and be imprisoned three Monethes. 2. Ed. 6. 14.

The Maker commaunding his seruant to shoote.

5 Whosoever doth commaunde any of his seruants to shoote in a Crossebow, Handgunne, Hagbut, or Demihake, of the Masters, or other persons, at any Deare, Foule, or other thing, except it be at a butt or bank of earth, or in time of warre, shall forfeit for every offence x. li. to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. But if the Queene do not commence her suit within one yeere, and every other person within halfe a yeere next after the offences committed, for any penaltie or forfeiture to any of them giuen by this Statute, they shall be excluded of their actions and suites, and the offendor cleerely discharged. 33. H. 8. 6.

Every man may arrest an offendor.

6 It is lawfull for every person to arrest, or attach any person, which he seeth or findeth offending contrarie to the effect of this Act, & to bring him

him to the next Iustice of peace in the same Countie, which Iustice vpon due examination and prooffe, may commit the offendor to the next Gaole, there to remaine vntill he hath paid such penaltie, as he hath forf. by this Statute, of which penaltie the Queene shall haue the one halfe, and the said bringer the other. 33. H. 8. 6. S. Iustices of peace 44.

7 But it is lawfull for all Gentlemen, Yeomen, and Seruing men of euery Lord, and of all Knights, Esquires, & Gentlemen, and to all the inhabitants of Citie, Boroughes, and Market Townes of this Realme of England, to shoote with any Handgun, Demihake, or Hagbut, at any butt or bank of earth, onely in place conuenient for the same, so that euery of them be of the seuerall lengthes aforesaid, & not vnder. And it is lawfull to euery Lord, Knight, Esquire, & Gentleman, and the inhabitants of euery Citie, Borough, and Market towne, to haue and keepe in euery of their houses any Handgun, of the length of one whole yarde, or any Hagbut, or Demihake, of the length of three quarters of the yarde, & not vnder, to the intent to shoote with the same at a bank of earth, or Butt onely. And euery person which dwelleth in any house, being distant two fur-
longs from any Citie, Borough, or Towne, may keepe in his house for the onely defence of the same Handguns, Hagbuts, and Demihakes of the seuerall lengthes aforesaid, & not vnder, and may vse to shoote in the same, at any butt or bank of earth, neere to his house, and not otherwise. And euery person appointed by the Queene to keepe or receiue any Crossebowes, or Handguns forsaied, or taken within the precincts of her Forrestes, Parkes, or Chases, may lawfully retaine the same, vntill her further pleasure be to him declared. And the makers of Crossebowes, and Handguns, may lawfully keepe Crossebowes, Handguns, Hagbuts, and Demihakes in their houses, and shoote in the same onely for assaying of them at a butt or bank of earth in place conuenient, and not otherwise, so that the same be of the seuerall lengthes aboue limited. And it shall be lawfull to such persons & their seruants, which be charged by the Statute of 4. & 5. H. and M. to find any Hagbut, to shoote at such lawfull markes as be herein specified, or at their owne proper games, so that they carrie not, or vse not the same Hagbut in any high way, except it be comming or going, to or from the Musters, or marching towards or from the defence of the Realme. 33. H. 8. 6. 4. & 5. H. and M. 2.

Who may
keepe or shoote
in Gunnes.

8 This Act shall not extend, or be preiudiciall to any Marchants ha-
uing any Crossebowes, Handguns, Hagbuts, or Demihakes to sell, & to
none other vse, so that the same be of the seuerall length aboue limited,
& not vnder. Neither shal it extend to any of the Queenes subiects, whose
houses be not aboue five miles distant from the Sea coasts, or which be
inhabiting within xii. miles of the borders of Scotland, or which be inha-
bitants of the Isles of Gersey, Gernesey, Anglesey, Wight, and Man.
But it is lawfull for euery of the said inhabitants to haue, and vse their

To these per-
sons this Sta-
tute extendeth
not.

Gunnes and Crossebowes.

Handguns, Hagbuts, and Demihakes, of the lengthes aboue said, within the said limits and Isles, so that it be at no Deare, Shoueler, Pheasant, Partridge, wild Swanne, or wild Eike. Neither shall this Act extend to any owner of any Ship, for hauing or keeping of any Handgun, Hagbut, or Demihake, of the seuerall lengthes aboue expressed, or vnder, onely to be had and occupied within any their Ship or other Vessel, or for the carriage and recarriage of them on land, or keeping them, for the onely exercise of them within their Ship or Vessel. Neither shall this Act be prejudicial to any seruant or person that shal bend, beare, carie charge, vse, or assay any Crossebow, Hangun, Demihake, or Hagbut, of the lengthes aforesaid, by the commaundement of his Lord or Master, so that he do not shoote at any foule, Deare, or other game. Nor to any such seruant or person, that shall beare or conuey any Crossebow, Handgun, Hagbut, or Demihake, of the lengthes aforesaid, to any place by the commaundement of his Lord or Master that may shoote, to be repaired, amended, deliuered or assayed, so that the same seruant or person haue ready to shew to euery person requiring the sight thereof, one licence in wꝛiting, sealed, or subscribed by his said Lord or Master to carrie the same Crossebow &c. to be amended, assayed, or deliuered. 33. H. 8. 6.

Placards.

9 If any person obtaine of the Q. her heires or successors any Placard, Licence, or Bill assigned to shoote in a Crossebow, Handgun, Hagbut, or Demihake, contrarie to the purpozt of this Act, then there shal be contained therein at what Beastes, or other Foules he shall shoote, or else the same Placard &c. shall be void. And euery such person befoze he doth shoote, shall be bound in the Chauncerie in Recognisance in xx. li. to the Queenes vse, that he shall not shoote at any other beastes or foules, then is specified in his Placard, Licence, or Bill assigned. And all Placards, Licences, & Bills made to any person not bound, shall be void. 33. H. 8. 6.

Haileshoote.

10 Whosoever shall shoote in any place any Haileshoote, or moze pellets then one at one time, shall forfait x. li. and be imprisoned three monethes. 2. Ed. 6. 14.

The names
presented of
those which
shoote in
Gunnes.

11 All persons authorized to shoote or otherwise, are bound (vnder the paine of xx. s. a shoote in any Handgun, or Halsehake) to present their names to the next Iustice of Peace of the Shire, if he dwell in the Countrey, or to the Maior or head Officer, if he dwell in a Towne corporat, to the intent the Clerke of the Peace may keepe a booke of the names of all such, that the Q. may know how many able persons she hath in each Countie for that seruice. And the Iustice, Maior, & head Officer are bound vnder the like paine to receiue their names. 2. Ed. 6. 14.

1 Where, in what case, and in what maner it shall be lawfull for a Gunner to take an Apprentice. S. Labourers 30.

2 The punishment of a Gunner which taking prest wages to serue the Queene, departeth from his Captaine. S. Felonie 23. Mariners 1.

Hattes

Whoſoeuer doth by himſelfe or anie other, make or worke any felt or hat, of, or with anie forrein wooll, or ſtuffe (vnleſſe ſuch perſon hath firſt been apprentice, or couenant ſeruant to the myſterie of felt or hatmaking, by the ſpace of vii. yeeres at the leaſt) ſhall forfeit all ſuch hats or felts which he ſhall make or cauſe to be made while he worketh, and fine pound for euery moneth that he ſhall ſo continue. But euery perſon that was a maker or worker of hats at the time of the making the ſtatute, may ſo continue during his life, though he were not bound apprentice for vii. yeeres, 8. Eliz. 11. And whoſoeuer doth by himſelfe, or by his ſeruant or apprentice worke any felts or thrummed hats, or occupie the myſterie of making of felts or thrummed hats within the citie of Norwiche, or Countie of Norf. (vnleſſe he be admitted ſo to doe by the Maior, Recorder, Steward, and two Juſtices of P. of the ſaid citie, or by foure of them, or that he hath bin apprentice to the ſame occupation by the ſpace of vii. yerres, or doth make any hats or felts, or occupie the myſterie thereof in anie place out of the citie of Norwiche within the countie of Norfolke, but only in a corporat or market towne) ſhall forfeit the ſame felts or hats, and alſo x. s. for euery halfe dozen of them made contrary to this ſtatute. But if the Maior, Recorder, Steward, or Juſtices of peace of the citie of Norwiche, take any reward for admitting any perſon to occupie the ſaid Arte, he ſhall forfeit for euery offence v. li. to the Q. and J. to be recovered by action, Information &c. wherein no W. &c. P. or forreine plea &c. 5. Ed. 6. 24. S. Couerlets 5. 6.

None ſhall worke hats, but which haue been apprentice.

Making hats in Norwiche & Norfolke.

2 Whoſoeuer ſhall make, ſell, or cauſe to be made or ſold any Cappe, or other thing of felt but only hats, or ſhall make, ſell, or &c. anie cappe of wollen cloth not knit, or ſhall die or &c. blacke anie cappe with Barke or Swarfe, but only with Copozas and Gall, or with Woad & Madder, or ſhall thicke or full in a mill anie Cappe, vntill the ſame be firſt well ſcowred and cloſed vpon the banke, and halfe thicked at the leaſt in the ſooke, ſhall forfeit for euery offence x. s. to the Q. and J. vſing Cap making, wherein no W. &c. P. &c. But this act ſhall not extend to anie making of hats with worſted yarne in the citie of Norwiche, 8. Eliz. 11.

Cappes of felt or of wollen cloth not knit.

Dying, thickening or fulling of cappes.

3 If anie man vnder the degree of a Knight, or a Lords ſonne, doeth weare anie hatte or vpper cappe of veluet, or couered with veluet, he ſhall forfeit x. s. to the Q. and J. vſing the feate of Cappe making, wherein no W. &c. P. &c. 8. Eliz. 11.

Veluet hattes or cappes.

4 If anie maker or worker of hats, doth take aboue two apprentices at one time, or doth take thoſe for any leſſe time then vii. yeeres at the leaſt, he ſhall for euery apprentice ſo taken, be one moneth impriſoned in the common gaole without baile or mainpriſe, and be from thenceforth diſabled to haue any moze apprentices then one at a time, and alſo ſuch taking of apprentice is void. But this act ſhall not charge anie felt or hatmaker, with anie paine or forfeit, for ſetting a worke his owne children for making

How many apprentices hat-makers may take.

Hattes and Cappes.

making of felts or hats in his owne house &c. 8. Eliz. 11.

The prices of
wollen cappes
and hats made
beyond the sea.

5 Whosoever selleth anie wollen Cap or Bonet made in any parts beyond the sea, aboue the price of ii. s. any Hat aboue x. d. anie single crowned wollen Cappe, or single wollen nightcap made beyond the Sea, aboue sixe pence, shal forfeit for euerie cap, hatte, and bonet so solde, fortie shillings to the D. & J. to be recovered by Action, Information &c. wherein no W. &c. P. &c. But the buyer or wearer of anie such Bonet, Hat, or cappe, may lawfully weare and detaine the same, without seislure or other forfeiture. 21. H. 8. 9. 1. M. 11.

Custom paid
for hattes and
cappes.

6 If anie wollen Bonets, Hattes, or cappes made beyond the Sea, be brought from any parts beyond the Sea, into anie the Queenes Dominions, the owner thereof or his seruant shail bring them to the Custommer of y^e citie, port, place &c. where they shal be laid on land, or discharged, and there enter into the customers bookes the custome for them, and pay the same, as by the lawes and statutes of this Realme hee ought to doe, or els he shal forfeit them or the value of them. 1. M. 11.

Caps and hats
sold.

7 If he which bringeth any such hats or caps from beyond the Sea, will carie anie of them away from the place where they be laid on land before they be sold (according to the prices limited in the statute 21. H. 8.) by the custommer of the port &c. and the chiefe officer of the towne, port, &c. where they be laid on land, he shal forfeit for euerie hatte or cappe removed or otherwise sold pl. s. to the D. and J. to be recovered by A. J. &c. wherein no W. &c. P. &c. 1. M. 11.

The customer
shall giue no-
tice of the hats
and caps to the
Maioz. &c.

8 If the customer, or his deputie of the citie, port, hauen, or creeke, where such Bonets, Caps, or Hattes shalbe brought into anie of the D. Dominions, from anie of the partes beyond the sea, doe not within two daies after the entrie of the same Caps or Hats in his bookes, giue notice of the same to the Maioz, Sherifes, Bailifes, or other chiefe officers of the said cities or ports, he shal forfeit his office. 1. M. 11.

The customer
& chiefe officer
shal sel the hats
and caps.

9 The customer of the said hauen or port, or his deputie, with the Maioz or his assigne, or chiefe officer of the place where cappes or hattes brought from beyond the sea shalbe laid on land, in the p^{re}sence of the owners (if they will be p^{re}sent, or els in their absence) shail sell the said caps, hats, and bonnets to such persons as will buy them (so that they sell not aboue a dozen to one person) at such prices as is limited (21. H. 8. 9.) and not aboue, & shail deliuer y^e monie to the owners of the same caps or hats at such time as they will receiue the same. And if anie customer or Maioz, chiefe officer &c. shalbe remisse or negligent to make sale, he shal forfeit xx. li. to the D. and J. to be recovered by action, information, &c. wherein no W. &c. P. &c. 1. M. 11.

No man shall
buy aboue xii.
hats or caps.

10 If anie person by fraud, couin, collusion, or colour, doth buy, or bargaine for anie more hats or caps (being made out of this realme) at one time, or of one man, then one dozen, he shal forfeit for euerie cappe or hatte

hatte so bought xl. s. to the D. and J. to be recovered by action, information &c. wherein no W. &c. E. P. &c. 1. H. 11.

11 If anie of the Queenes subiects bozne vnder her obeisance, (except Lozds and Knights) doth buy anie hattes or cappes made and readie wrought in anie part beyond the sea, he shall forfait for euery such cappe and hatte xl. s. to the D. and J. to be recovered by action, information, &c. wherein no W. &c. E. P. &c. 3. H. 8. 15.

Buying of hats
or caps wrought
beyond the sea.

12 If anie Capper, Hatter, or other person doth sell, or put to sale anie hats or caps made within this realme, without they bee sufficientlie wrought and of a sufficient colour in euerie point after the goodnes and finenes of the wooll whereof they be made, he shall forfait for euery hatte or cappe so sold vi. s. viii. d. 3. H. 8. 15.

Caps shall be
well wrought
and coloured.

13 If anie Hatter, Capper, or other person by himselfe or anie other to his vse, wil take of anie of the Queenes subiects for anie hatte of y^e best making not ingrained aboue two shillings, or for anie cappe made of the finest Lemster wooll aboue iii. s. iii. d. or for any Cap made of the second sort of Lemster wooll aboue ii. s. vi. d. or for any Cap made of the third sort of Lemster wooll aboue xx. d. or for any Cappe made of the fourth sort of Lemster wooll aboue xii. d. or for anie Cap made of the finest sort of Cotswold wooll aboue ii. s. or for any Cap made of the second sort of Cotswold wooll aboue xvi. d. he shal forfait for euery Hat & Cappe, (for which he shall take more) fortie shillings to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. But Caps and Hattes of other wooll shall be sold, as the buyer and seller can agree. 3. H. 8. 15.

The prices of
hats and caps.

14 The Cappe made of the finest Lemster wooll, shall be marked in the lining with the letter L. the Cap of the second sort of Lemster wooll with L. R. the Cap of the finest Cotswold wooll with the letter C. The Cappe of the second sort of Cotswold wooll with C. R. 3. H. 8. 15.

The marks
of Caps.

1 That Hatmakers dwelling in Norwich, may buy middle Vffe yarne to make Hats with, S. Yarne.

Haukes.

Whofoeuer doth wroggfully by night or day, take away any Hauke or Hauks, or the eggs of any of them, out of the woods or ground of any person (not hauing lawful authoritie or license so to do) and thereof is lawfully conuicted at the suit of the D. or J. griued, shal pay to the party griued his treble damages, suffer imprisonment by the space of three moneths, and then finde sufficient suertie for his good abearing for the space of seuen yerres after, or else remain in prison vntill he hath found suerties. 5. Eliz. 21. S. Iustice of peace 34.

Taking Hauke
or Haukes eggs
out of anothers
grounds.

2 Whofoeuer findeth a Faulcon, Tercelet, Laner, Laneret, or other Hauke which the owner thereof hath lost, shal immediatly bring the same to the Sherife of the Countie, which shall make Proclamation in all the good townes of the Countie, that he hath such a Hauke in his custodie, and

Whoer man
shall vse the
Hauke which
he taketh vp.

Haukes. Hauens and Riuer.

and if the owner which lost the Hauk, or any of his seruants come to challenge it, & proueth that it is his masters, he shal pay for the costs & haue it. And if none do come within foure moneths to challenge it, then the Sherife shall haue the Hauke, agreeing with him that tooke it vp, if he be a simple man, and if he be a Gentleman and of estate to haue a Hauke, then the Sherif shall deliuer him the Hauke, taking reasonable allowance for the keeping thereof. And whosoever taketh a Hauke, and the same concealeth from the owner, or from his Faulkoners, or taketh away a Hauke from the owner, or stealeth a Hauke & carieth it away, not obseruing the foresaid ordinances, and is thereof attainted, shall be vsed as a Felon which hath stollen a horse, or other thing. 34. Ed. 3. 22. 37. Ed. 3. 19.

Taking the
eggs of Haukes
or Swannes.

3 Whosoever doth take or cause to be taken vpon his owne ground, or anie other mans, the eggs of anie Faulcon, Goshauke, Laner, or Swan out of the nest, shalbe imprisoned a yeere and a day, and make fine at the Queenes pleasure. 11. H. 7. 17.

The taking,
fearing and
killing of
Haukes.

4 Whosoever taketh anie Eirer, Faulcon, Goshauke, Tassel, Laner, or Laneret, in his warren, woods, or other place, or purposely driueth the out of their couerts accustomed to breede in, or causeth them to go to other couerts to breede in, or killeth them for any hurt by them done, shall forfeit tenne pound to the Queene and informer. 11. H. 7. 17. S. Iustices of peace 29.

The bearing of
english haukes.

5 Whosoever doth beare anie hauke of the breede of England, called a Nyelle, Goshauke, Tassel, Laner, Laneret, or Faulcon, shall forfeit the same to the Q. 11. H. 7. 17.

Bringrs of
haukes from
forrein regions
shall bring a
certificat.

6 Whosoever bringeth anie Nyelle, Hauke, and Haukes, from anie parts beyond the sea, must bring a certificat vnder the Customers Seale of the port where he first landed with the same Hauke &c. And he that cometh forth of Scotland, then vnder the seale of the Warden or Lieutenant of the March which he came through, testifying that the same hauks be of the parts beyond the sea, or Scotland, or els he shal forfeit to the Q. the same Haukes. 11. H. 7. 17.

1 That each man may haue Eires of Haukes within his owne woods, which be within anie Forest. S. Woods. 24.

2 That no person shall hauke where anie eared or coddred corne shall be standing. S. Fesants. 4.

Hauens and Riuer.

No rubbish
shalbe cast into
anie Hauen,
Rode, Chanel,
or Riuer.

If anie person doth cast or vnload out of anie Ship, Craier, or other vessel being within anie Hauen, Rode, Chanel, or Riuer, flowing or running to anie port towne, or to anie citie, borough, or towne, within anie of the Q. Dominions, anie balast, rubbish, grauell, or other wrecche or filch, but only vpon the land, aboute the full sea marke, he shall forfeit for euerie offence five pound to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 34. H. 8. 9.

2 Who

2 Whosoever fasteneth to any posts, Voles, Ankoꝝ, oꝝ like things any manner of nets ouerthwart anie Riuer, there to continue, shall foꝛf. Fastening nets ouer riuers. foꝛ euerie offence v.li. to the D. 2. H. 6. 15.

3 It shall not be lawfull to any person oꝝ persons whatsoeuer, to set anie net oꝝ nets with anie boate, oꝝ boates called a Stall-boat, oꝝ other boate oꝝ vessell whatsoeuer, within the entrie oꝝ mouth of the Hauen of Oꝛford in the countie of Suffolke, oꝝ in the Gull, being a bzanch of the same Hauen, except the mesh oꝝ shale of euerie such net, thzoughout the whole nette, doe containe two inches and a halfe at the least in widenes, from knot to knot, vpon paine to foꝛfait foꝛ euerie time, that anie nette oꝝ nets shalbe set oꝝ placed in the said Hauen oꝝ Gul, not being of the mesh oꝝ shale afoꝛesaid, fīue pound together with the net oꝝ nets so set, oꝝ the value thereof to the D. and J. to be recouered in anie Court of Record at Westm. and not elsewhere, by A. B. P. oꝝ J. wherein no W. & C. P. & C. 27. Eliz. 21.

Hempe, Flaxe.

Whosoever doth water anie Hemp oꝝ flaxe in any riuer, running: water, streame, brooke, oꝝ other common Pond where beasts be bled to be watred, but onely on the ground, oꝝ pits foꝛ the same ordeined, oꝝ else in his owne seuerall ponds, shall foꝛfait foꝛ euerie offence xx. s. to the Queene, and the partie griued, oꝝ J. & C. to be recouered by action, information, &c. wherein no W. & C. P. & C. 33. H. 8. 17.

1 Where Hempe growing within fīue miles of Burport shalbe sold, and how much Hempe shalbe accounted a stone. S. Cables. 1. 3.

Herons.

If anie person without his owne ground, doth kill, take, oꝝ cause to be taken anie Herons by meanes of any craft oꝝ engin (without it be with Hawking, oꝝ long Bow,) he shal foꝛfait foꝛ euerie Heron so taken oꝝ killed vi. s. viii. d. to the D. and J. to be recouered by action of debt, wherein no W. & C. P. & C. 19. H. 7. 11.

Taking of old Herons.

2 If anie person without his owne ground, doth take any young Herons out of the nest, without license of the owner of the ground where the said nest is, he shal foꝛfait foꝛ euery Heron so taken out of the nest x. s. to the D. and J. to be recouered by action of debt, wherein no W. & C. P. & C. 19. H. 7. 11.

Taking young Herons.

Hexam, and Hexamshire.

The territorie, franchise and libertie of Hexam and Hexamshire, with the liberties of the same, may be, is, and shalbe taken to be within, & part, parcel, and member of the countie of Northumberland. And as well the pleas of the crowne, as all suits betwixt partie & partie, may pꝛoceede and haue their due end and triall within the said countie of Northumberland, by and befoꝛe the Sherife and Corouers of the said Shire, and also befoꝛe the Iustices of P. Iustices of gaole deliuerie, Iustices of Assise, Nisi

Hexam and Hexamshire. High waies.

Nisi prius, Dier and Determiner, and other officers, and ech and euery of them, as the case shall require, and take effects; as anie of the like haue beene, or ought to be, which haue happened, or shall happen within the said countie of Northumberland. And the Sherife and other Officers of the countie of Northumberland for the time being, haue full power and authoritie to execute his or their office, and all processe to him or them directed within Hexam and Hexamshire, and the liberties of the same, in as large and ample maner, as he or they may, should, or ought to do, within any other part of the said Countie of Northumberland, any graunt, priuiledge, custome &c. notwithstanding. Sauing to the bailife of the liberties, or other officers of the said towne of Hexam and Hexamshire, or the liberties thereof, all liberties & priuiledges for executing of Processe, returne of Writs and otherwise, as they or any of them of right ought to haue, befoze the making of this act. 14. Eliz. 13.

High waies.

Surueiozs for
the amendment
of high waies.

The Constables and Churchwardens of euerie parish within this realme, shall yeerely vpon the Tuesday or Wednesday in Easter weeke, call together a number of the parochians, and then shal chuse two honest persons of the parish to be Surueiozs for one yeere, of the woꝝkes for the amendment of the high waies in their parish, leading to any market towne, the which shal order and direct by their discretions, the persons and cariages appointed for those woꝝkes. And if any of the persons so named to be Surueiozs, will not take vpon him the execution of the said office, he shall forfeit xx. s. 2. and 3. p. and D. 8. 29. Eliz. 5.

Sixte daies for
the amending
of waies.

2 The Constables and Churchwardens shal then also appoint vi. daies for the mending of high waies befoze the Natiuitie of S. Iohn Baptist, and shal openly in the Church vpon the Sunday after Easter, giue knowledge of y^e same vi. daies. And euery person hauing a Draught or Plowe, which doth not send and find at euerie day & place appointed for the amending of high waies in that parish, one waine or cart furnished after the custome of the countrey, with oren, hozles, or other cattell, and other necessaries meete to carie things conuenient for that purpose, and also two able men with the same, for euerie Plow land in tillage or pasture that he hath, shall forfeit for euery Draught making default x. s. 2. and 3. p. and D. 8. 5. Eliz. 13. 29. Eliz. 5.

Each mans
charge for a
Plow land.

3 If anie of the cariages of the parish shall not be thought needefull by the Surueiozs to be occupied vpon any of the said daies, then such person as should haue sent cariage, shall send for euery cariage so spared, two able men there to labour for that day, vpon paine to forfeit for euerie man not sent xii. s. 2. and 3. p. and D. 8. 5. Eliz. 13. 29. Eliz. 5.

Two men in
stead of a cari-
age.

Cottiger.

4 If anie housholder, Cottiger, or Labourer of the Parish, hauing no Plough, or Draught able to labour, and being no hired seruant by the yeere, doth not by himsele, or one sufficient Labourer for him, vpon euery

of the said fire daies, worke in the amendment of the high waies, he shall forsaith for euery day making default xlii. s. which persons & cariages shall bring with them Shouels, Spades, Mattocks, and other tooles, and doe such worke as they be appointed vnto by the Surueiours, by the space of eight houres in euerie of the said daies (except they be otherwise licensed by the same Surueiours or one of them) 2. & 3. P. & M. 8. 29. Eliz. 5. The Justices of peace within the countie of Norffolke, shal and may yerely at anie general Sessions to be holden within the said countie, for & towards the making and amending of any of the sea bankes, or sea workes within the said countie of Norff. (now being or that hereafter shalbe in ruine or decay) limit and appoint so manie of the aforesaid day workes, as by their discretions shalbe thought superfluous, and not needefull to be imploied towards the amendement of the aforesaid high waies, within thre miles of the said sea bankes, or sea workes, which shall needefully require any such reparation or amendment. And euery person and persons, dwelling within thre miles of the said sea bankes and sea workes needefully to be amended as is aforesaid, shall yerely vpon reasonable warning giuen, during so manie daies as shalbe limited and appointed in the said sessions, in respect of his and their labour and cariages, stand and be in that degree charged and chargeable towards the making, repairing, and amending of the said sea bankes, or sea workes, as by the foresaid Statutes of 2. and 3. P. & M. and 5. Eliz. 13. they stand charged and chargeable for the amendement of any high waies: And they and euery of them for the not doing & performing the same, shall incurre the like paine, penaltie, and forsaithure, as is contained in the foresaid statutes, made for the amendement of high waies, and euerie of them. And the said Justices likewise, in their aforesaid general Sessions, shall & may nominat and appoint the high Constables of euery Hundred, that shalbe charged or chargeable by force of this acte, towards the making or amending of the said Sea bankes, or Sea workes, to be Surueiours of the said Sea workes & Sea banks, and they and euerie of them shal take vpon them the execution of the said charge & office, and duellie performe the same, vpon such like paine and forsaithure, as by the said statutes or anie of them, be imposed vpon anie Surueior, or Surueiours, for not taking vpon him or them the office of Surueior for the amendement of high waies. And euerie person and persons, which shall be yerely charged to the making and maintenance of the said bankes or sea workes, shalbe discharged of so manie daies towards the making of the high waies, as shall be imploied and bestowed towards the making and amending of the said sea workes, and sea bankes, All the said penalties and forsaithures to be leuied in maner & forme as in the said statutes are limited or appointed. 27. Eliz. 24. 39. Eliz. 18. to endure vnto the end of the Parliament next ensuing.

5 It is lawfull for euerie Surueior, for the amending of the waies within

Necessarie
Tooles.

Repairing of
sea bankes and
sea workes
within the
Countie of
Norff.

High Constables
Surueiours.

High wayes.

Taking of other mens rubbish.	<p>within the parish where he is Surueior, to take and carie away so much of the rubbish or smallest broken stones which he shall find readie digged in anie Quarrey, being within the parish where he is Surueior, as by his discretion shalbe adiudged necessary for the amending of the waies, without licence, controlment, or impeachmēt of the owner. And for default of a Quarrey not found in the parish, or of rubbish not found in such Quarey, it is lawfull for euery such Surueior to gather stones vpon anie lands or grounds within the parish, meete to be vled to such purpose, and likewise to digge or cause to be digged for grauell, sand, or sinder for the said vse, in the seuerall ground of any person, where the same is like to be found within the parish where he is Surueior, and nigh adioining to the way where such reparations shall be thought necessarie (so that it be not in the house, gardein, orchard, or medowe of anie person, nor aboue one only pit in anie seuerall and inclosed ground, which pitte shall not be in breadth or length aboue tenne yardes ouer at the most,) And if the Surueior which shall cause such pit to be digged, do not within one moneth after such digging cause the same to be stopped vp with earth at the costes of the Parishioners, he shall forfeit to the owner of the soile where the pit is made, five Markes to be recovered by action of debt. 5. Eliz. 13. 29. Eliz. 5.</p>
Gathering of stones.	
Digging for grauell.	
Places not lawfull to digge in.	
The Surueior shall stop the pit againe.	
Turning a water course into any mans ground.	<p>6 It is lawfull for euery Superuisor in the Parish where &c. to turne a watercourse or spring of water being in any High way, and be- rie noysome to the same, into any ditch of the seuerall ground of any per- son or persons next adioyning to the said High way in such maner, as by the discretion of the said Superuisor shall be thought most meete. 5. Eliz. 13. 29. Eliz. 5.</p>
Fences and ditches neere vnto high wayes.	<p>7 The hayes, fences, dikes, or hedges, next adioyning on either side to any High way, shal from time to time be diked, skowzed, repaired, and kept low, and all trees & bushes, growing in the High wayes cut downe by the owners, whereby the said waies may be open, and people may haue moze ready and easie passage, vpon paine that euery person com- mitting any offence to the contrarie, shall forfeit for euery default x. s. 5. Eliz. 13. 18. Eliz. 9.</p>
Presentment of the offences.	<p>8 The Surueyor which doth not within one moneth next after any offence committed by any person, contrarie to the purpozt and meaning of any article aforesaid, present euery such offence to the next Iustice of Peace, shall forfeit for euery such offence not presented xl. s. And if the same Iustice of Peace do not certifie the same presentment at the next generall Sessions within the same Countie, he shall forfeit five pound. 5. Eliz. 13. 29. Eliz. 5.</p>
Refusing to pay the for- feiture.	<p>9 If the Bailife or high Constable of any Hundred, Rape, Lath, or Wapentake, to whom the Steward of any Leete or Lawday, or in de- fault thereof, the Clerke of peace shall make and deliuer the estreats in- pented of all fines, forfeitures, and amerciaments presented before him or</p>

or them, cannot find any sufficient distresse of any persons offending contrary to the purview of any article aforesaid: Or if the said offender shall obstinately refuse to pay the said amercement, fine, or forfeiture, & doth not pay the same within twentie daies after lawfull demaund of the same by the said officer, then he shall forfeit double the summe that he should haue paid. 2. & 3. P. and M. 8. 5. Eliz. 13. 29. Eliz. 5. S. Lectes 13. Justice of peace 69.

10 If the Bailife, or head Constable do not once every yeere betwixt the first day of March & the last day of Aprill, make a true accompt, & payment of all such summes of money (to the Constables & Church wardens of euery Parish, wherein the offence was committed, or to two of them) which he shal haue collected vpon any of the foresaid estreats, he shal forfeit for euery time not so doing xl. s. 2. & 3. P. & M. 8. 5. El. 13. 29. El. 5.

11 The Church wardens of euery Parish may call the Bailife and head Constable to accompt before the Iustices of peace, or two of them, wherof one to be of the Quorum, by bil, information, or otherwise, which Iustices haue authority to take the accompt, and to commit the said Bailife, or head Constable to prison, vntill he shall pay all such arrerages as shall be adiudged by the said Iustices. And the fines, forfeitures, & amercements due for any offence, contrary to the purpoze of this statute, shall be to the Churchwardens, to be bestowed about the repaire of the wayes of the said Parish. But the Bailife & head Constable vpon his accompts shall haue allowed for euery pound he shall collect and pay viii. d. for his owne paines, and xii. d. for the fees of the Clerke of the Peace, or Steward of the Leete, for the estreats indented of euery seuerall Parish that he shall deliuer. And the successors of Churchwardens shall haue the like action of Accompt against their predecessors, as is before appointed against the Bailifes. 2. & 3. P. and M. 8. 5. El. 13. 29. El. 5.

12 Euery person (except such as shall dwell in the Citie of London) that shall be assessed to the payment of any Subsidie to the Queenes Maestie to v. li. in goods, or xl. s. in lands, or aboue, during all such time as he shall stand so assessed & not altered, & being none of the parties chargeable for the amendement of High wayes, by any former law, but as a Cottager, shall find two able men peereley to labour in the High waies, at such dayes and times, as are before limited and appointed. 18. Eliz. 9.

13 Euery other person that shall occupie a Plough land in tillage or pasture, lying in seuerall Parishes, shal be chargeable to the making of the waies within the Parish where he dwelleth, as far forth, & in such maner, as any person hauing a Plough land in any one Parish, is or ought to be chargeable by reason of y^e said former statuts, or either of them. 18. El. 9.

14 Euery person keeping in his hands seuerall Ploughlands in seuerall Townes, shall be charged to find in each towne or parish (where the said Plough lands do lie) one cart, wayne, tumbrell, dungpozt or court,

Constables accompt.

The head Constable called to accompt.

How the forfeitures shall be employed.

Church wardens accompt.

The charge of each person being v. li. in goods, or xl. s. in lands.

Hauing a plough land in seuerall parishes.

A man hauing seuerall plough lands in seuerall parishes.

High waies.

Heades, carres, or dragges, furnished for the repairing of High waies, within the severall Parishes where the said Plough lands do lie, in such maner as if he were a Parishioner dwelling within the Parishes where the same severall plough lands do lie. 18. Eliz. 9.

Ditching and
scouring.

15 Every person that shall occupie any lands adioyning to any High way, where any ditching or scouring ought to be, shall from time to time as neede shall require, ditch and scoure in his ground so adioyning, whereby the water conueyed from the said High way over the ground next adioyning may haue passage ouer the said ground so next adioyning to that ground, vpon paine of forfaiture for euery time so offending for euery Rod not so ditched and scoured xii. d. 18. Eliz. 9.

Casting of
soyle into the
way.

16 No person hauing any ground by Lease or otherwise, adioyning to any High way leading to any Market towne, shall cast or scoure any ditch, and lay the soyle thereof into the high way, and suffer it to lie there by the space of sixe monethes, to the annoyance of the said high way, vpon paine of forf. for euery load of soyle so cast &c. xii. d. And where any soyle hath bin so cast into the high way that there is a bank betweene the said way & the ditch, it is lawful to the Surueyors & workmen to make sluices or other deuises by their discretions, to conuey the water out of the said way into the ditch: any law or vsage &c. notwithstanding. 18. Eliz. 9.

Sluices to con-
uey the water
into a ditch.

How the pe-
nalties shall
be leuied.

17 Every penaltie forfeited for any cause within this statute, shall be leuied in euery Parish by the Surueyors of the waies within that Parish by distress, and sale of distress, in maner as fines & amerciaments in Leetes haue bin vsed: And the money so leuied shall be imployed vpon the High way where the offence was committed. And if the Surueyors shall not, or will not leuie & imploy the same within one yeere after the offence so committed, then the said forf. shall be leuied in forme foresaid, by the Constables or Churchwardens of the Towne or Parish where the worke ought to be done in the high way. And he or they so leuying any of the said penalties or forfeitures, shall make such accompt as is appointed in the befoze recited Statutes. 18. Eliz. 9.

The waies
shal be CC.
foote broad.

18 The High waies leading from one Market towne to an other, shall be enlarged there where any wood, hedges, or ditches be, so that there shall be no ditch, wood, or bush, where he that doth lewdly may escape, within CC. foote of the high way, on the one side, and CC. foote on the other, (but this stat. extendeth not to Ashes or great Trees.) And if any robberies be done by default of breaking downe ditches, vnderwood, and bushes, the Lord shall answer therefore, and if it be a Murder, the Lord shall be punished at the Queenes pleasure. And if the Lord be not able to cut downe the vnderwood, the Countrey shall helpe him. And within the Queenes demesne woods within Forests and without, the waies shall be enlarged, as befoze &c. And if any Parke be nere vnto the high way, the Lord thereof shall diminish it by the space of two hundred foote from the high way, or els make such a wall, ditch, or hedge, that offenders cannot

go for ward or backward to do any hurt. Winchester. 13. Ed. 1. 5.

19 The occupiers of all maner of Iron workes whatsoeuer, as owners or farmers of the same by any estate of inheritance for life, limes, or for terme of yeere, or yeeres, or at will, which shall at any time hereafter carie, or cause to be caried, any coales, myne, or Iron, to, or for any their Iron workes, betweene the xii. day of October, & the first day of May in any yeere, shall for euery three loads of coale or myne, as also for euery tun of Iron, which shall be caried by any maner of wayne or cart, betwene the xii. day of Octob. & the first day of May, by the space of one mile, through any high wayes within the said wildest of Suffex, Surrey, Kent, or any of them, shall pay, or cause to be paid vnto the Iustice of peace dwelling neere vnto the places in the Countie, where the High waies shall be most annoyed, or his assignee, the summe of iii. s. the same to be leuied, after default of payment thereof, by such Just. of peace, or assignee, by way of distress, of any of the goods and chattels remayning in the said Countie, of such person, as so should haue paid such summe. 39. Eliz. 19.

The repaire of high wayes in the wildest of Suffex, Surrey, Kent.

20 Euery person and persons, occupier of Iron work as aforesaid, which shall at any time hereafter carie, or cause to be caried any coales, myne, or Iron, to, or for any their Iron workes, betwen the 1. day of May, & the xii. of day Oct. in any yeere, for euery xxx. loads of coales & myne, or either of them, and for euery x. tuns of Iron, to be caried as aforesaid, one load of sinder, grauel, stone, or chalker, meete for the repairing & amending of the said high waies as aforesaid, to be layd & imploied in such place & places of the high waies, as any Iustice of the peace of any the Counties aforesaid, dwelling neere vnto the places, where the said high wayes within the limits aforesaid shall be most annoyed, by any of the meanes aforesaid, according to the greater & more present necessitie, shall be appointed & assigned, or els pay, or cause to be paid, for & in allowance of euery cart load, in maner & form aforesaid, to haue bin so caried & laid iii. s. within eight daies after the demaund thereof, at any such Iron work made, to or from which Iron work any such carriage shall be, to the hand of the said Just. of p. or his assignes, & same to be leuied after default of paymēt vpon the demaund thereof from time to time by way of distress. 39. Eliz. 19.

For euery xxx. loads of coales, myne, or Iron, and for euery x. tunnes of Iron a load of grauell &c. of iii. s.

Leuied by distress.

21 If such Just. of p. by reason of absence, or other occasion, do not, or shall not within xl. daies next after the said first day of May, perely assigne or appoint, where & in what place of the high waies, the said sinder, grauel, stone, or chalk, to be caried as aforesaid, or where or how the mony thereof shall be paid, shall be imploied & bestowed: Then the same sinder, grauel, stone, or chalk shall be layd & imploied by such person or persons, as by this act are to carie and lay the same, or to cause the same to be caried and laid, in such place and places of the high wayes, as the Surueyors within the Parish for the time being, where the high wayes shall be most annoyed as aforesaid, shall assigne, or appoint, or in default thereof,

In what place of the high waies the stone or grauel shall be layd, and by whose appointment.

High waies.

Forfait x.s.
a load.

pay to the said Surueyozs for euery such load due and vncaried, iii. s. in maner and forme aforesaid, vpon paine of forfaiture of x. s. for euery load of sinder, grauell, stone, or chalke not caried, layd, and imploied in the high waies, or iii. s. vnpaid, as aforesaid, to be forfeited and paid by the person and persons, which by this Act ought to carie & lay, or cause to be caried and layd, the sinder, grauell, stone, or chalke, or therfore to haue paid, as is aforesaid, after due conuiction and presentment thereof had before the Iustices of Oyer & terminer, or Iustices of peace, in any of their open Session or Sessions, to be holden before them, or any of them, 39. El. 19

How the for-
faitures shall
be imploied.

22 All which summe and summies of money to be forfeited, by reason of this Act, for, or in default of cariage or laying of the said sinder, grauel, stone, or chalke, or payment therof as aforesaid, shall be likewise bestowed & imploied vpon the amendement & repairing of the High waies, at, & by the discretion of any such Iustice of peace, as shall dwell & be resident next vnto the place & places, being most annoyed by the cariages aforesaid, the same to be leuied by way of distresse, by any Constable, Tythingman, Headborough, or other Officer thereunto to be assigned, by warrant made in open Sessions by any Clerk of the peace of the Countie, where any the offence or offences aforesaid shall be committed, or by any two Iustices of peace, whereof one to be of the Quorum, which were present at the sessions, wherein the said conuiction, of, or for any the offences aforesaid shall be had: And if no sufficient distress can be found by the said officer appointed to leuie the same, or if the said offendor do not pay the same, within xx. dayes after a lawful demaund of the same by the said officer to be appointed for the leuying therof, as aforesaid: then euery person so denying or refusing, & not paying the same forfaiture, within xx. dayes aforesaid, to forfeit the double summe he should before haue paid, to be leuied by such waies & meanes, as to any two of the Iustices of the peace of the same Countie, where the said offence shall be committed, wherof one to be of the Quorum, shall be thought most meete: The same forfaiture to be likewise imploied vpon the amendement of the High waies, as the other forfaiture should haue bin, if the same had bin leuied, according to the true intent & meaning of this Statute, 39. Eliz. 19.

If no distress
can be found,
or the offendor
do not pay.

In default of
the Iustices,
the Surueyozs
shall appoint
where the gra-
uell shall be laid.

23 The Surueioz and Surueiozs from time to time for the time being, within the Parish where the High waies shall be most annoyed, vpon default of the said Iustices as aforesaid, within xx. daies after such default of the Iustice of peace, as aforesaid, shall assigne or appoint, where, and in what place of the high waies, the said sinder, grauel stone, or chalke, or the forf. of money to be bestowed, shall be caried and layd as aforesaid, & vpon paine of forfaiture of euery such Surueioz or Surueiozs, for euery such default xl. s. And the said Surueiozs shall make demaund according to the limitation of this present Act, of all & euery such forfaiture, & summies of money limited to be paid in default of such cariages as aforesaid, vpon

The Suruei-
ozs forfaiture.

paine

paine to forf. for euery such default xl. s. And shall also make presentment of euery such default of cariage, or payment, contrarie to the tenor of this present Act at the next Quarter Session to be holden for the said County, where such default of cariage & payment shall be vpon paine to forfait for euery such default of presentment as aforesaid xl. s. The one moitie of all such forfaiture and forfaitures, to be to the Q. the other moitie to be to the J. to be recovered by A. B. P. J. in any of the Queenes Courts of Record, wherein no W. C. P. &c. 39. Eliz. 19.

1 For the repairing of High waies at the endes of Bridges. See Bridges 7.

2 That Iustices of Peace may inquire of, or present High waies not repaired, and punish the offenders. S. Iustice of peace 69.

Homage and Fealtie.

NO person shall pay in the Queenes Exchequer, or any other Courts Respite of Homage. for the respite of Homage, of, or for any manors, lands, tenements, or hereditaments, whereof the cleere yeerely value exceedeth not v. li. aboue viii. s. and for the entring thereof and warrant of Atturney, aboue iiii. s. 33. H. 8. 22.

2 When a Free man shall do Homage to his Lord of whom he holdeth in fee, he shall hold his hands together betweene the hands of his Lord, and shall say thus: I become your man from this time forward, for life, for member, and for worldly honor, and shall owe you my faith, for the lands that I hold of you, sauing the faith that I do owe to our Soueraigne Ladie the Queene, and to mine other Lords. 17. Ed. 2. The forme of a free mans Homage.

3 When a free man shall do Fealtie to his Lord, he shall hold his right hand vpon a booke, and shall say thus: Heare you my Lord R. that I, P. shall be to you both faithfull and true, and shall owe my fidelitie vnto you, for the land that I hold of you, and lawfully shall do such customes and seruices as my duetie is to you at the termes assigned, so helpe me God &c. 17. Ed. 2. A freemans Fealtie.

4 When a Villaine shall do Fealtie to his Lord, he shall hold his right hand vpon the booke, and say thus: Heare you my Lord A. that I, B. from this time forth vnto you shall be true, and faithfull, and shall owe you Fealtie for the land that I hold of you in villenage, and shall be iustified by you in bodie and goods, so helpe me God &c. 17. Ed. 2. A villaines Fealtie.

5 If the heire of any which holdeth his lands of his Lord by Knights seruice, be within age, his Lord shall not haue the ward of him, nor of his land, before he hath taken of him Homage. Magna Charta. 9. H. 3. 3. The Lord shall not haue wardship, untill he hath taken Homage.

Hornes and Horners.

The Wardens of the mysterie of Horners in London, may search all manner of ware belonging to their misterie wrought wthin London, or within xxiij. miles thereof. And also they may search Sturbidge and Ely faire, and if by their search they find any ware in any of the aforesaid The Horners of London may search all hornes wthin xxiij. miles thereof.

places defectiue & insufficient, in whose hands soeuer it be, to sell, they may take the same ware, and bring it before the Maior of London, or the Maior or Bailifes of the said Cities, and the same being there proued defectiue, shall be forfeited to the Queene & the said Wardens. 4. Ed. 4. 8.

The Horners of London haue the choise of English hornes,

After London Horners be serued, strangers may buy some.

2 If any Stranger by himselfe, or any other, doth buy any English Hornes, vnwrought, gathered, or growing within London, or xiiii. miles thereof on euery side next adioynning: Or if any English man, or other person doth sell any English Hornes vnwrought to any Stranger, or cause them to be sent ouer the Sea, so that the Horners of London will buy the said Hornes at like prices (as they were at when this Statute was made) he shall forfeit all the Hornes so bought, sold, or sent ouer, to the Queene and the Wardens of the Horners. But after men of the occupation of Horners within this Realme, haue chosen out such and as many Hornes as shall be needfull to their occupation: Then it shall be lawfull to euery person to sell & deliuer all the Hornes refused, which be not able to be occupied in their mysterie, to any Stranger, or other person to carrie beyond the Sea, or elsewhere. 4. Ed. 4. 8.

Horses, Mares.

Owners & farmers of Parks charged to keepe Hares.

Every person aswell Spirituall as Temporall, hauing any Parke or ground inclosed with hedge, ditch, wall, or pale, in his owne hand, wherein any Deare is vsually kept for Game, contayning the quantitie of one mile in compasse, and is thereof seised in fee simple, fee taile, or for terme of life, in possession to his owne behoofe. And euery Farmer of euery such Parke and ground, being letten to farme, shall keepe for euery such Parke or ground inclosed, so long as the same shall be vled or kept with Deare in the same for Game, two Hares being not splayed, apt and able to beare foles, each of them of the height of thirteene handfuls at the least, to be measured from the lowest part of the hooft of the forefoote, vnto the highest part of the shoulder, and euery handfull to containe fower ynches of the Standerd. And euery owner, &c. or farmer of a Parke which is fower miles in compasse, or aboue, shall keepe fower such Hares &c. vpon paine of forfeiture of xl. s. for euery moneth lacking the said Hares, to the D. and J. to be recovered by A. J. &c. wherein no W. &c. C. P. &c. But if any of the said Hares shall die by casualtie, and the owner do prouide an other of the foresaid height within thre monethes next after the death therof, he shall not incurre the penaltie of this statute. This Statute shall not charge the owners of any Parkes or grounds inclosed lying in Westmerland, Cumberland, Northumberland, or the Bishopricke of Durham, to keepe any Hares. Neither shall it charge any other person, the herbage of whose Parke &c. is common to the inhabitants of the Townes next adioynning. 27. H. 8. 6.

Hares shall not be covered with Ties.

2 If any Lord, owner, or farmer of any Park or ground inclosed, appointed by this Act to keepe Hares, will willingly suffer any Hare to be covered

couered with any litle hōrse oz nagge of small stature oz value, he shall forsaite xl. s. to the Queene and A. to be recouered by A. A. &c. wherein no A. &c. E. P. &c. 27. H. 8. 6.

3 Whosoever doth put to pasture, into, oz vpon any Forrest, Chase, ^{The height of} Mooze, Marsh, Heath, common, oz wast ground, any stoned Hōrse, being ^{horses feeding} aboue the age of two peeres, & not being of the height of xv. handfuls, to ^{upon the com-} be measured from the lowest part of the hooft of the forefoote, vnto the highest part of the wythers, (and euery handful to containe fower puches of the Standerd) to pasture, feede, oz be in, oz vpon any of the said forrests, chales, commons, &c. within any of the Shires & territories of Norfolk, Suffolk, Cambridge, Buck. Hunt. Essex, Kent, Southamshire, North Wilshire, Oxford, Bark. Worcester. Gloucester. Somerset, Northwales, Southwales, Bedford, Warwick, Northampt. Wokshire, Cheshire, Stafford, the Countie of the Citie of York, the town & liberties of Glouc. the Countie of the town of Kingstone vpon Hull the Countie Palatine of Lancaster, the Countie of Salop, Leicester, Hereford, Lincolne (except it be vpon any of the Marsh, oz Seggie fennie grounds within the counties of Cambridge, Huntington, Northampton, Lincolne, North. Suff. oz within the Isle of Ely) shall forsaite the said Hōrse. And whosoever doth put to pasture vpon any of the foresaid Marshes, oz seggie fennie grounds in the said last excepted Shires oz places, any stoned Hōrse aboue the age of two peeres, not being of xiii. handfuls high, to be measured in forme aforesaid, shall forsaite the said hōrse. 8. Eliz. 8. 32. H. 8. 13.

4 Whosoever doth put to pasture any stoned Hōrse aboue the age of ^{The height of} two peeres, not being xiii. handfuls high, to be measured in forme aforesaid, vpon any forrest, chafe, common, &c. being within any other Shire ^{horses feeding} of this Realme, then is first befoze specified, shall forsaite the same Hōrse, ^{upon the com-} But no person shal be p̄iudiced by this statute for the hauing oz putting any Hōrse to feeding vnder the heights aforesaid, vpon any common oz wast ground where Mares oz Fillies are not vled oz suffered to be kept. ^{mon in al other} Nor for any stoned Hōrse of his which shall once in a yeere escape oz break ^{Shires.} out of his leuerall ground against his will, into any forrest, chafe, common, ^{The height of} &c. so that the said Hōrse doth not remain there fower daies next after suf- ^{horses feeding} ficient & open notice giuen at his house, oz publication made on a Sunday ^{upon the com-} oz Festival day in the parish Church where he dwelleth. 32. H. 8. 13.

5 Whosoever findeth any Hōrse in any forrest, chafe, common, mooze, ^{Settling and} marsh, heath, oz wast ground, contrarie to this statute, shall go vnto ^{measuring of a} the keeper of the forrest, chafe, &c. oz his deputie, oz to the Constable, ^{horse not of a} Bailife, Headborough, Burtholder, oz Tythingman of any towne next ^{lawful height.} adioyning vnto the place where the said Hōrse is, and commaund oz require him in the Ducenes behalfe, to go with him to bring such Hōrse there feeding to the next pound, and there the Hōrse shall be measured by the Officer, in the p̄sence of thre other honest men by the said Officer

Horses, Mares.

appointed, & if it be found that the said Horse is contrarie to this statute, then he that doth so challenge and seise him, may take and retaine him to his owne vse, as his owne goodes and cattels for euer, without vexation, suit, or trouble of the owner, or of any other person. 32. H. 8. 13.

Refusing to
measure a
Horse not of
lawful height.

6 If any of the said Keepers, Deputies, Bailifes, Constables, Bursholders, or Tythingmen, or three persons requested to be at the measuring of the said Horse, do refuse to do as aforesaid, or do not truly measure such Horse, then euery of them refusing to do, or not doing his duety therein, shall forfeit xl. s. to the D. and J. to be recovered by A. J. &c. wherein no T. A. &c. E. W. &c. 32. H. 8. 13.

Dists of for-
restes, com-
mons, heathes.

7 If the Lords, owners, or possessors of forrestes & chases, or their officers, or the Constables, Headboroughes, Bailifes, Bursholders, and Tythingmen, within whose offices, precincts, and limits, the commons, moores, marshes, heathes, & wast grounds being out of forrestes & chases do lie, do not peerey at the feast of Saint Michaell the archangell, or within xv. dayes after, effectually driue the said forrestes, chases, commons, moores, &c. the said Officers &c. Bailifes, Constables, Headboroughes, &c. shall forfeit for euery time the said dist shall be omitted xl. s. to the D. and J. &c. And it is lawfull for the said Lords, owners, &c. and for the said Constables, Bailifes, &c. within the limits of their offices, to make like dist of the said forrestes, chases, commons, moores, marshes, heathes, and wast grounds at any other time of the peere, when, and as often as they shall think meete. 32. H. 8. 13.

Unlikely Tits
shal be killed.

8 If in any of the said dists there shall be found any Mare, Filly, Fole, or Gelding that shall be thought not able, or like to grow able to beare Foles of a reasonable stature, or not able, or like to grow able to do profitable labours, by the discretion of the driuers, or the more number of them, then the same driuers shall cause the same beastes to be killed, and the bodies to be buried, or otherwise to be bestowed where no annoyance shall grow. 32. H. 8. 13.

Infected
Horses.

9 Whosoever shall haue, or put to pasture any Horse, Gelding, or Mare, infect with scab or mange, into, or vpon any forrests, chases, moores, marshes, heathes, commons, wast grounds, or common fieldes, shal forfeit for euery Horse, Gelding, or Mare so infected x. s. to the Lord of the leete where the offence shall be presented. 32. H. 8. 13. S. Inst. of peace 47.

Keeping of
Horses by rea-
son of degree
or lying.

10 Euery Archbysshop and Duke of this Realme, shall haue, keepe and maintaine of their owne proper Horses, & at their owne costes, seauen stoned trotting Horses for the Saddle, (being neither Cart nor Sumpter Horses) euery of the same horses to be three peere olde and vpwart, and in height xiiii. handfuls (reckoning to euery handfull fower ynches of the Standerd) to be measured from the nether part of the haire of the hooft vnto the vpper part of the wydersons or shoulders. Euery Marques and Earle, and euery Bysshop whose Bishoppricke is of the peerey value of a thousand

thousand pound or above, shall find and maintaine five stoned trotting Horses for the Saddle, of the age and height aforesaid &c. Euery Byshop whole Byshopricke is of the peerely value of a thousand Markes or above, And euery Vicount and Baron hauing lands, tenements, fees, annuities, or offices, for terme of his life to the cleere peerely value of a thousand Marks or above, shall find & maintain thre stoned trotting Horses &c. And euery other Byshop, Vicount, and Baron not before mentioned, and also euery other Spirituall person hauing Benefices or promotions to the peerely value of 500. Markes, and euery Tempozall person hauing lands, tenements, fees, annuities, or offices for terme of life, in his owne right, or in his wiues, to the peerely value of 500. Marks, shall keepe and maintaine two stoned trotting Horses for the Saddle, vpon paine that euery person aforesaid, lacking the number of the said Horses to him limitted, shall forsaite for euery Horse so lacking by the space of thre moneths xx.li. to the D. and J. to be recouered by A. J. &c. wherein no *W. &c. P. &c.* 33. H. 8. 5.

11 Euery other Spirituall person vnder the degree of a Byshop, hauing Benefices or promotions to the cleere peerely value of one hundred pounds or above, & not to the peerely value of five hundred Marks, and euery other person Tempozall not before mentioned, whose wife (being not diuorced, nor willingly absenting her selfe from him) doth weare any Gowne or Peticote of Silke, or any Veluet in her Kirtell, or in the lining or other part of her gowne (other then in the cusses or purses) or any French hood, or Bonet of Veluet with any habiliment, paste, or edge of gold, pearle, or stone, or any Chaine of gold about her neck, or in her Partlet, or in any apparell of her bodie, shall haue, keepe and maintaine as is aforesaid, one stoned trotting Horse for the Saddle, vpon paine of forsaiture for euery time that any of them shall want by the space of thre moneths one stoned trotting Horse of the age and height aforesaid x.li. to the D. and J. to be recouered by A. J. &c. wherein no *W. &c.* But heires within age being *Wards*, whose lands, tenements, and hereditaments amount to the peerely value of CC. li. shall not be compelled by this Act, vntill they come to their full age, to keepe any Horses, although their wiues weare any Gowne of Silke, or any French hood, or Bonet of Veluet with any habiliment, paste, or edge of Gold, Pearle, or stone, or any Chaine of Gold about their necks in their Partlets, or in any apparell of their bodies. 33. H. 8. 5. And euery person chargeable by this stat, or reason of his wiues apparell to keepe a stoned trotting Horse, shall also keepe and maintaine one Gelding able and meete for a Light horseman, with sufficient harnais & weapon for the same, in such maner, as he that may dispend one hundred Markes by the peere, is chargeable to keepe. 4. and 5. P. and D. 2. S. Armour 2.

12 If the Sonne and heire apparant of any Duke, Marques, Earle, Vicount,

Keeping of
Horse by rea-
son of the wiues
apparell.

The Sonne
and heire of a
Noble man.

Inquire and
certificat by
the Sherife.

Viscount, or Baron, or of any other person hauing lands &c. to the peerely value of five hundredeth Markes or aboute, hath lands, tenements, hereditaments, fees, offices or annuities, for terme of life in his owne right, or his wiues, to the cleere peerely value of five C. Markes, then he shall keepe and maintaine one trotting stoned Horse for the Saddle, in forme aforesaid, vpon paine of for. of xx. li. for euery three moneths that he shall want the same Horse. But no such Sonne & heire is compellable by force of this Act, to find or keepe any Horse in the life of his father, except he hath lands, tenements, annuities, fees or offices, to the said peerely value of five hundredeth Markes. And euery Sherife in any Shire within this Realme, shall do his diligence and good endeouour to search and know by vertue of his office, all defaults done or committed by any person or persons in lacking of Horses contrary to this Act, as shall happen within the Shire where he is Sherife, and shall once in the yeere, viz. in the Terme of S. Michael certifie the said defaults (if any be) into the Eschequer by wryting vnder his seale, to the intent that proces may be made against the offenders accordingly: And euery such Certificat of the Sherife shall be of as good force and effect against the offenders as any Information thereof made in the said Eschequer. And in case any shall be conuict vpon such Certificats by confession or triall by the course of the Law: then the Sherife making such certificat shall haue one moiety of the forfaiture, and the Queene the other moiety. Provided alwaies, that no person shall be impeached, molested, or troubled for any offence done contrarie to this Act by A. B. J. P. or certificat of the Sherife, vntlesse the same A. B. J. P. or certificat be made or had within one yeere next after the offence done contrarie to this Act. 33. H. 8. 5. S. Iustice of peace 48.

If the horse be
killed in the
Queenes ser-
uice.

13 If any of the foresaid Horses happen to be killed, maimed, or lost in the Queenes seruice, then the owner is at libertie at any time by the space of two yeeres next after such chance, to prouide other in their stead, without any penaltie. 33. H. 8. 5.

Transporting
of Horses into
forrein Regi-
ons.

14 If any person do sell, exchange, giue, conuey, or deliuer into the Realme of Scotland, to the vse of any Scottish man, or into any place beyond the Sea, out of this Realme or the Dominions of the same, any Horse, Gelding, or Mare, without speciall licence therefore obtained of the Queene, or of her heires, vnder the great Seale, or priuie Signet, Or if any person do sell, exchange, giue or deliuer to any Scottish man within this Realme of England, or Wales, the Towne of Berwick or the Marches of the same, to the intent to be conueyed into Scotland, any Horse, Gelding, or Mare, or do conuey or carrie any Horse, Gelding, or Mare, into any forein parts beyond the sea, without like speciall licence obtained of the Queene, or of her heires, vnder the great Seale, or priuie Signet: then the same person shall forfait to our Soueraigne Ladie and her heires the same Horse, Gelding, or Mare, so carried or conueyed, and shall

shall also lose xl.li. for every such Horse, Gelding, or Mare so conveyed, to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. W. &c. And also every person so offending, shall suffer imprisonment by the space of one whole yeere. And it shall be lawfull to every person being the Queens Subject, to arrest and imprison every Scottish man, & every other person which shall lead or convey contrarie to the meaning of this Act, any such Horse, Gelding, or Mare, out of this Realme, into Scotland, or into any other forrein place beyond the Sea, other then such persons as shall haue sufficient warrant from the Queene, or her heires, vnder her, or their great Seale or Priuie Signet. But this Act shall not extend to any person which shall convey any Horse, Mare or Gelding into Scotland, or into forrein partes beyond the Sea to serue the Queene in her warres with the same. 1. Ed. 6. 5. 5. Eliz. 19.

15. But if the Queene, her heires or successours, vnder her great Seale or Priuie Signet, do giue licence to any person or persons, to carrie any Horses, Mares or Geldings into Scotland, or into any other parties beyond the Sea, or els do giue authoritie or commaundement to any person or persons by Warrant vnder the great Seale, to licence any other person or persons to carrie or convey anie Horses, Mares or Geldings into Scotland, or into any parties beyond the Sea: Then it shall be lawfull aswell to all persons hauing such licence vnder the Queenes great Seale or Priuie Signet, as to every other person hauing licence in writing vnder the Seale of such person or persons to whom the Queene shall giue authoritie or commaundement in forme abouesaid, to licence other, to carrie or convey such number of Horses, Geldings, or Mares, or any of them into Scotland, or into any of the partes beyond the Sea, as shall be mentioned in any such licences. 1. Ed. 6. 5. 5. Eliz. 19.

16. Every such person which shall be licenced according to this Act, to carrie or convey any Horses, Mares or Geldings into Scotland, shall before the same cariage or conveyance, vpon the paine of forf. of the said Horse &c. or the double value therof to the Queene and J. &c. shew his said licence to one of the three Wardens of the three Marches of England, to the intent that one of the said Wardens shall cause the number of the said Horses &c. so licenced to be conveyed into Scotland, not only to be Ralendored in a booke, to remaine in his owne custodie, But also to be indorsed & written on the backside of the said licence, and the same indorsement to be Signed with the hand of the said Warden. 1. Ed. 6. 5. 5. Eliz. 19.

17. But this Act shall not be preiudicial to the Master of the Queens Horses, for such things and commodities as shall concerne his Office. And notwithstanding this Act, The Warden of the five Portes may peerely at his pleasure giue five Horses or Geldings (and no moze within one yeere, at one or diuers times vpon like paine as is aforesaid) to any person or persons in the parties beyond the Seas, being in amitie with the

Licences to transport horses, & licences to giue licence.

Licence shewen to the Wardens of the Marches.

Warden of the five Ports,

Mares of r. s.
price may be
transported.

the Queene, or her successors. And it shall be lawfull to any of the Queenes Subiects, to carie or send into any partes beyond the Sea any Mares, whereof the price of any one Mare so to be carried doth not exceede r. s. in such maner as Mares being of the prices of vi. s. viii. d. bin or might haue bin conueyed ouer the Seas before the making of thys Act, (viz. per Stat. 11. Henrici septimi 13.) Any thing in this act, or any other act &c. notwithstanding. 1. Ed. 6. 5. 5. Eliz. 19.

1 How many great Horses and Geldings eche man is chargeable to keepe by reason of his lands or goods. S. Armour 2.

2 Concerning selling of Horses, appointing a place, and paying tolle for them in a Faire or Market. S. Faires 4. 5. 6. 7. 8.

3 That neither the horse-stealer, nor the accessorie before or after, shall haue his Clergie. S. Clergie 13.

4 That it is felonie to sell, exchange, or deliuer in Scotland, or the habitable ground, any Horse, Gelding, &c. S. Felonie 1.

Hospitals.

Visitation of
Hospitals and
calling the col-
lectors to ac-
compt.

The Bpshop of euery Dioces or his Chauncelor for the time being, shall yeerely visite all Hospitals in the dioces of such Bpshop where no Visitoz by the Founder is appointed, if the Founder of the said Hospitall be then dead, and see and take order that the said Hospitals be ordered and vsed according to the statutes and ordinances of the foundation thereof. And if the Founder be then liuing, the said Founder to visit the same during his life without any the Bpshops visitation, and the same visitation to be at the only costes of the visitors, and not of the Hospitall. And it shall be lawfull to the Bpshop &c. or his Chauncelor, vpon complaint, or other intelligence of iust cause, to take accompt how the rents, reuenewes, and profits of any such Hospitall haue bin bestowed, to call before him or them at the said Hospitall to accompt all such persons as haue had the collection or receipt of any the said rents, issues, reuenewes or profits. And if any person so called shall refuse to accompt, or entring into accompt, shall refuse to proceede and finish the same, or vpon the finishing thereof, shall refuse forthwith to answer to the vse of the said Hospitall, such summe of money, as vpon the same accompt shall appeare to be due by him: then he refusing shall forfait such summe of money as to the said Bishop or Chauncelor, and to two Iustices of the peace next inhabiting to the said Hospitall shall be thought meete, to which accompts the said Bishop or Chauncelor, shall call the same two Iustices of peace. 2. H. 5. 1. 14. Eliz. 5. 18. Eliz. 3. 39. Eliz. 18. to continue untill the end of the next Parliament.

It shall be law-
full for any per-
son to erect an
Hospitall or
house of cor-
rection.

2 All and euery person and persons, seised of an estate in fee simple, their heires, executors or assignes, at his or their wils & pleasures, shall haue full power, strength, license, & lawfull authozity, at any time during the space of xx. yeares next ensuing, by deed inrolled in the high court of Chancery,

to erect, found, and establish one or more Hospitals, Heason de dieu, abiding places, or houses of correction, at his or their will and pleasure, aswell for the finding, sustentation, and reliefe, of the maymed, poore, needie or impotent people, as to set the poore to worke, to haue continuance for euer, and from time to time to place therein such head & members, and such number of poore, as to him, his heires & assignes shal seme conueniēt: And the same Hospitals or houses so founded, shalbe incorporated, & haue perpetuall successions for euer, in fact, deede, and name, and of such head, members, & numbers of poore, needie, maymed or impotent people, as shall be appointed, assigned, limited, or named by the founder or founders, his or their heires, executors or assignes by any such deede inrolled: And such Hospitall, meason de dieu, abiding place, or house of correction, and the persons therein placed, shalbe incorporated, named & called by such name as the said founder or founders his heires executors or assignes, shall so limit, assigne & appoint: And the same Hospitall, Meason de dieu, abiding place, or house of correction so incorporated & named, shalbe a body corporate & politike, and shal by that name of Incorporation, haue full power, authoritie, and lawfull capacitie & abilitie to purchase, take, hold, receiue, enioy, and haue to them and to their successors for euer, aswell goods and chattels, as manors, lands, tenements, & hereditaments, being freehold of any person or persons whatsoever: so that y^e same exceed not the yearlie value of two hundred pounds aboue all charges & reppises, to any one such abiding house, Hospitall, Meason de dieu, or house of correction: And so as the same or any part thereof be not holden of our Soueraigne Lady the Queene, her heires or successors, immediatlie in cheife, or els of our said Soueraigne Lady the Queene, or any other person by Knight seruice, without license or writ of Ad quod damnum, or the Statute of Mortmain, or any other Statute or law to the contrary notwithstanding. 39. Eliz. 5.

Incorporation
by the founder.

Named by the
founder.

A body corpo-
rate & politike.

Purchase
goods or lands.

CC. pound
yeare.

Lands not
holden in cheife
or by Knight
seruice.

3 And the same Hospitall, Meason de dieu, abiding place, or house of correction, and the persons so being incorporated, founded & named, shall haue full power & lawfull authoritie by the true name of the incorporation thereof, to sue and to be sued, impleave and to be impleaded, to answer and to be answered unto, in all manner of Courts and places that now are, or hereafter shall be within this realme, aswell temporall as spirituall, in all manner of suits whatsoever, and of what nature and kind soeuer such suits or actions be or shalbe. 39. Eliz. 5.

An Hospitall
may sue and
be sued.

4 And the same Hospitall, Meason de dieu, abiding house, or house of correction, shal haue and enioy for euer such a common Seale or Seales, as by the said founder or founders, his or their heires, executors or assignes shalbe in wrighting vnder his or their hand and seale assigned, named or appointed: whereby the same corporation shall or may seale any maner of instrument touching the same Incorporation, and the lands, tenements, heredi-

An Hospitall
shall haue a
common Seale

Hospitals.

The ordering, directing, visiting, placing, & removing, by such persons as shalbe appointed by the founder. hereditaments, goods, or other things thereto belonging, or in any wise touching or concerning the same. And further shalbe ordered, directed and visited, placed, or by just cause displaced by such person or persons, bodies politicke or corporate, their heires, successors or assignes, as shall be nominated or assigned by the Founder or founders thereof, their heires or assignes, according to such rules, statutes, & ordinances as shalbe set forth, made, devised, or established by the said founder or founders, their heires or assignes in writing under his or their hand and seale, not being repugnant or contrary to the lawes & statutes of this realme, any lawe, statute, custome, usage, or other thing whatsoever to the contrary in any wise notwithstanding. And it shalbe lawfull to the founder or founders, his and their heires or assignes, upon the death or removing of any head or member of any such corporation to place one other in the roome of him that dieth, or is removed, successively for ever. 39. Eliz. 5.

The Statutes and ordinances of the founder.

The founder his heires or assignes may place the head or member.

Leases made by Hospitals.

5 Provided alwaies, that all leases, grants, conueiance or estates, to be made by any corporation, so to be founded, as aforesaid, exceeding the number of xxi. yeares, and that in possession, and whereupon the accustomed yearelie rent or more, by the greater part of xx. yeares next before the making of such lease, shall not be reserved and yearelie payable, shall be void. 39. Eliz. 5.

Others right laued.

6 Saving to all persons, bodies politicke and corporate, their heires and successors (other then the founders and giuers their heires & successors) all such right, title, claime, possession, rents, seruices, commons, demaunds, interest and profits, which they or any of them shall haue, or of right ought to haue, of, in, or to any the lands, tenements, or hereditaments, hereafter to be giuen, limited, or assigned in forme aforesaid, in as ample manner, as if this Statute had neuer bene had or made. 39. Eliz. 5.

Certaine persons not enabled to erect Hospitals &c.

7 Provided also that this Acte, or any thing therein contained, shall not extend to enable any person or persons being within age, women couert without their husbands, or of non sanæ memoriæ, to make any such corporation, or to endow the same: Any thing in this present Act, to the contrary thereof in any wise notwithstanding. 39. Eliz. 5.

Ten pound land at the least.

8 Provided alwaies, that no such Hospitall, Heason de dieu, abiding place or house of correction, shalbe erected, founded, or incorporated by force of this Acte, vntlesse vpon the foundation or erection thereof, the same be endowed for ever with lands, tenements, or hereditaments, of the cleare yearelie value of x. pound by the yeare. 39. Eliz. 5.

No act shalbe done whereby the lands or goods of an Hospitall shall be transferred to any other.

9 Provided also, that no such incorporation to be founded by force of this Act, shall at any time hereafter do, or suffer to be done, any Act or thing whereby or by meanes whereof any the lands, tenements, hereditaments, stock, goods or chattels of such incorporation, or any estate, interest, possession, or propertie of or in the same, or any of them shalbe vested or transferred in or to any other whatsoever, contrary to the true meaning of

of this Act : And that such construction shall be made upon this Act as shall be most beneficiall and auayleable for the maintenance of the pooze, and for repressing and auoyding of all Acts and deuises to be inuented, or put in vze contrary to the true meaning of this Actte. 39. Eliz. 5.

Construction
of this Act.

10 Whereas diuers Colledges, Hospitals, Almeshouses, and other places within this Realme of England, haue bene founded and ordained, some of them by the Queenes Maiestie, and by other her noble Progenitors, and some by other godly and well disposed persons, for the charitable reliefe of pooze, aged, and impotent people, maimed Souldiers, Schooles of learning, Orphans, and for such other good, charitable and lawfull purposes and intents : And where diuers lands, tenements, and hereditaments, leases, goods and chattels, haue bene giuen, limited and appointed for the like charitable, good and lawfull vses, intents and purposes : as also for reparation of high wayes, amendment of Bridges and Sea-banks, for the maintenance of free Schooles and pooze schollers, as also for the reliefe and preferment of Orphans & fatherles children, and such like good, lawfull and charitable vses : which lands tenements and hereditaments, goods, leases, and chattels, haue bene, and are still like to be most vnlawfully & vncharitably conuerted to the lucre and gaine of some fewe greedy and couetous persons, contrary to the true intent & meaning of the giuers and disposers thereof : to the end such godly and charitable purposes & vses may be from henceforth obserued & continued, according to the true intent & meaning of the giuers & founders thereof, and according to the true intent and meaning of any the foresaid good, godly and charitable vses and intents : it shall and may be lawfull to and for the L. Chancelor, or Keeper of the great Seale of England for the time being, and for the Chancelor of the Duchie of Lancaster for the time being, or lands within the countie Palantine of Lancaster from time to time to ward Commissions vnder the great Seale of England, or the Seale of the Countie Palantine as the case shall require, into all or any part or parts of this Realme, respectiue, according to their seuerall iurisdictiones as aforesaid, to the Bishop of euery seuerall dioces & his Chancelor, and to other persons of good and sound behauiour, authorizing them thereby to enquire as well by the oaths of twelue lawfull men of the Countie, as by all other good and lawfull wayes and meanes of all and singular such gifts, limitations and purposes, and of the abuses and misdemeanors, misemployments, falsities defrauding of the trusts, intents and purposes, alienations or misgouernments, which haue beene had, or at any time hereafter shall be had or made, and of all and euery other matter, thing and cause, whereby or by meanes whereof the good and godly vses foresaid, cannot or may not be maintained, executed, and performed, according to the true intent and meaning of the donours or founders, and

Inquety of
lands or goods,
giuen to Hospi-
tals, or other
charitable vses
misemployed.

according

Hospitals.

Setting of
orders for the
maintenance
of charitable
uses.

according to the true intent and meaning of any the aforesaid good, godly & charitable uses & intents: And after such inquiry made, upon hearing & examining thereof, to set downe such orders, iudgement & decrees, as the said good, godly & charitable uses may be truly obserued in full, ample and most liberall sort, according to the true intent & meaning of the founders, or donours thereof. Which orders, iudgements and decrees, not being contrary or repugnant to the orders, statutes, or decrees of the donours or founders, shall stand firme and good, according to the tenour and purport thereof. 39. Eliz. 6.

Colledges in
Oxford, Cam-
bridge, Eaton,
Winchester,
Westminster.

Cathedral
Churches.

II Provided alwaies that neither this Act, nor any thing therein contained, shall in any wise extend to any Colledges, Halls, or houses of learning within the vniuersities of Oxford or Cambridge, or to the Colledges of Westminster, Eaton, or Winchester, or any of them, nor to the lands, reuenues, or possessions thereunto belonging: neither to any Cathedral Church within this realme of England, nor to the lands or possessions thereunto appertaining or belonging. 39. Eliz. 6.

Citie or towne
corporate.

12 Provided also that neither this Act, nor any thing therein, shall extend to any Citie or towne corporate, or to any lands or tenements, giuen to y^e uses aforesaid, within any such citie or towne corporate, where there is a speciall Gouvernour or Gouvernours, appointed to gouerne or direct such lands, tenements or things disposed to any the uses aforesaid: neither to any Colledge, Hospitall, or free Schoole, which haue speciall visitors or gouernors, or ouerscers appointed them by their founders. 39. Eliz. 6.

Visitors or
Gouernors.

The Ordina-
ries authority
referred.

13 Provided also and be it enacted by the authority aforesaid, that neither this act, nor any thing therein contained, shalbe any way preiudiciall or hurtfull to the iurisdiction or power of the Ordinary: but that he may lawfully in euery cause execute and performe the same, as though this Act had neuer bin had or made. 39. Eliz. 6.

None shall be
Commissioner,
which hath any
of the lands or
goods.

14 Provided also, that no person or persons that hath, or shall haue any of the lands, tenements, or hereditaments, goods or chattels, giuen limited or appointed to or for any the uses, purposes or intents aforesaid shal intermeddle as a Commissioner in any the causes aforesaid. 39. El. 6

Certifying of
the orders.

15 Provided alwaies, that al such orders, iudgements and decrees, as shalbe so set down by the said Commissioners as is aforesaid, shalbe certified vnder the Seales of the said Commissioners, either into the Court of the Chancery of England, or into the court of the Chancery within y^e County Palatine of Lancaster, as the case shall require respectiue, according to their seuerall iurisdiccions within such conuenient time as shalbe limited in the said Commissions: And that the said L. Chancelor or L. Keeper & the said Chancelor of the Dutchie, shal & may within their seueral iuridiccions, take such order for the due execution of al or any of the said iudgements, decrees, & orders, as to either of the shal seem fit & conuenient. 39. El. 6

A remedy for
any person
griued.

16 And if after any such Certificate or certificates made, any person or persons shal find theiuelues griued with any of y^e said orders, iudgements,

or decrees, then it shall and may be lawful to and for them, or any of them to complaine in that behalfe vnto the said Lord Chaunceloz or Lord Keeper, or to the Chancelloz of the said Duchy of Lancaster, according to their seuerall iurisdiccions for redresse therein: And vpon such complainte, the said Lord Chauncelloz or Lord Keeper, or the said Chauncelloz of the Duchie may according to their said seuerall iurisdiccions, proceede to the examination, hearing, and determining hereof, as to either of them in their said seuerall iurisdiccions shalbe thought to stand with equity and good conscience: Any thing in this act notwithstanding. 39. Eliz. 6.

I For Leases made by the Master and Gardian of an Hospitall. S. Ecclesiasticall &c. 7.

Huy and Crie.

Immediatly after any Felonies and robberies be committed, fresh suit shall be made from towne to towne, & from countrey to countrey: And Enquestes shall be taken (if neede be) by him that is chiefe Lord of the Towne, and after in Hundzeds, Franchises, and in the Countie, & sometime in 2. 3. or 4. Counties in case where felonies be committed in the Marches of shires, so that offenders may be attainted and suffer punishment. And if the Countrey will not answer for the bodies of such offenders, the people dwelling in euery such countrey shal answer for the robberies done & the damages, so that the whole Hundzed, where the robbery shalbe done, with the franchises which be within the same hundzeds, shall answer for the robberies done. And if the robbery be done in the diuision of two hundzeds, then both the hundzeds, together with the franchises within the precinct of them, shall answer. And the countrey shal haue no longer time after the robbery & felony committed (but xl. daies, 28. Ed. 3. 11.) within the which they must agree for the robbery & offence, or els they shall be answerable for the bodies of the offenders. Winch. 13. Ed. 1. 1. 2.

Fresh suit.

The Countrey shal answer, if the robbers be not taken within fortye daies.

The inhabitants of a hundzed wher fresh suit shal cease, chargable with halfe the damages recovered for a robbery.

The Clerke of the peace shal prosecute the suit.

2 The Inhabitants and Resiants of euery or any such Hundzed (with the franchises within the precinct thereof) wherein negligence, fault, or defect of pursuit and fresh suit after Huy & cry made, shal happen to be, shal answer and satisfie the one moiety or halfe, of all and euery such summe & summes of money and damages, as shall by force and vertue of the said statutes (viz. of 13. Ed. 1. and 28. Ed. 3.) or either of them, be recovered or had against, or of the said Hundzed, with the franchises therein, in which any Robberie or felonie shal at any time hereafter be committed or done: And the same moiety shall and may be recovered by Action of debt, bill, plaint, or Information, in any of the Queenes Courtes of Recorde at Westminster, by and in the name of the Clerke of the peace for the time being, of, or in euery such Countie within this Realme, where any such robberie and recouerie by the partie or parties robbed, shalbe, without naming the Chyristian name or surname of the said Clerke of the Peace. Which moiety so recovered, shalbe to the onely vse and behoofe of the In-

Huy and Crie.

habitants of the said Hundred where any such robbery or felony shall be committed or done. 27. Eliz. 13.

The Clerke of the peace commencing a suit doth die, or is remoued.

3 If any Clerke of the peace, of, or in any County within this realme, shall at any time hereafter commence or preferre any such suit, action, or Information, and shal after the same so sued, commenced or preferred, happen to die, or to be remoued out of his office, before recoverie and execution had, yet no such Action, Suit, Bill, Plaint, or Information, sued, commenced, or preferred, shall by such displacing, or death, be abated, discontinued or ended. But it shall and may be lawful to and for the Clerke of the Peace next succeeding in the said Countie, to prosecute, pursue, and follow all and euerie such Action, bill, plaint, suit, and Information for the causes aforesaid, so hanging and depending, in such maner and forme, and to all intents and purposes, as that Clerke of peace might haue done, which first commenced or preferred the said suit, bill, plaint, or Information. 27. Eliz. 13.

A remedie for those against whom recovery & execution is had to haue contribution of the residue of the hundred.

4 And although the whole Hundred, where such Robberies and felonies are committed with the Liberties (within the precinct thereof) are by the said two former Statutes charged with the answering to the partie robbed, his dammages: yet neuerthelesse, the recoverie and execution, by and for the partie or parties robbed, is had against one or a verie fewe persons of the said Inhabitants, and he, and they so charged, haue not heretofore by Law, had any meane or way, to haue any contribution, of, or from the residue of the said Hundred, where the said Robberie is committed, to the great impouerishment of them, against whom such recoverie or execution is had. For remedie whereof, Be it enacted &c. that after execution of damages by the partie or parties so robbed, had, It shall and may be lawfull (vpon complaint made by the partie or parties so charged) to and for two Iustices of the Peace, (whereof one to be of the Quorum) of the same Countie, inhabiting within the said Hundred, or neere vnto the same, where any such execution shall be had, to asseesse and taxe ratable and proportionable, according to their discretions, all and euery the Townes, Parishes, Villages, and Hamlets, as well of the said Hundred where any such Robberie shall be committed, as of the Liberties within the said Hundred, to and towards an equall contribution to be had and made, for the reliefe of the said inhabitant or inhabitants, against whom the partie or parties robbed, before that time, had his or their execution. And that after such Taxation made, the Constables, Constable, Headboroughs, or Headborough of euery such Towne, Parish, village, and hamlet, shall by vertue of this present act, haue full power and authoritie within their severall limits, ratably and proportionably, to taxe and asseesse according to their abillities, euery inhabitant and dweller in euery such Towne, Parishes, village, and hamlet, for and towards the payment of such taxation, and asselement, as shall be so made vpon euery

such Towne, parish, village, and hamlet, as aforesaid, by the said Justices. And if any Inhabitant of any such Towne, parish, village or hamlet, shall obstinately refuse and denie to pay the said Taxation and assessment so by the said Constables, Constable, headboroughs, or headborough taxed and assessed: then it shall and may be lawful to and for the said Constables and Headboroughs, and euery of them within their seuerall limits and iurisdiccions, to distraine all and euery person and persons so refusing and denying, by his and their goods and chattels, and the same distresse to sel, and the money thereof comming to retaine to the vse aforesaid. And if the goods or chattels so distrained and sold shalbe of moze value then the said Taxation shall come vnto, then the residue of the said money ouer and aboue the said Taxation, shalbe deliuered vnto the said person or persons so distrained. 27. Eliz. 13.

Distresse and sale thereof.

5 All and euery the said Constables and Headboroughs, after that they haue within their seuerall limits and Iurisdiccions leuied and collected their said Rates and summes of money so taxed, shall within x. daies after such collection, pay and deliuer the same ouer vnto the said Justices of peace, or one of them, to the vse and behoofe of the said Inhabitant or Inhabitants, for whom such rate, taxation, or assessment shall be had or made as aforesaid: Which money so paid, shall by the Justices or Justice so receiuing the same, be deliuered ouer (vpon request made) vnto the said Inhabitant or Inhabitants, to whose vse the same was collected. 27. Eliz. 13.

The Constables shall deliuer the contribute money to the Justices and they to the parties.

6 And the like Taxation, Assessment, leuying by distresse and payment as aforesaid, shall be had and done within euery hundred where default or negligence of pursuit and fresh suit shall be, for and to the benefit of all and euery Inhabitant or Inhabitants of the same Hundred, where such default shall be, that shall at any time hereafter by vertue of this present Act, haue any damages or money leuyed of them, for or to the payment of the one moitie or halfe of the money recouered against the said Hundred, where any robberie shall be hereafter committed. 27. Eliz. 13.

Leuying of contribution in the hundred where default of pursuit shalbe.

7 Provided, that where any robberie is, or shall be hereafter committed by two, or a great number of malefactors, & that it happen any one of the said offenders to be apprehended, by pursuit to be made, according to the said former mentioned lawes and statutes, or according to this present act, that then and in such case, no hundred or franchise, shal in any wise incur or fall into the penalty, losse, or forfeiture, mentioned either in this present Act, or in any the said former statutes, although the residue of the said malefactors shall happen to escape, and not to be apprehended: Any thing in this statute, or in the said former statutes to the contrary, notwithstanding. 27. Eliz. 13.

No penalty where any of the offenders be apprehended.

8 Provided also, that noe person or persons hereafter robbed, shall

The suit shal be commenced take

Huy and Crie.

within a yere
after the Rob-
berie.

take any benefite by the vertue of any the said former statutes to charge any Hundzed, where anie such Robberie shall be committed, except he or they so robbed, shall commence his or their suit or action within one yere next after such Robberie so to be committed. 27. Eliz. 13.

The pursuit
must be by
horsemen and
footemen.

9 No Huy and Crie, or pursuit hereafter to bee done or made by the Countrey or Inhabitants of any Hundzed, shall be allowed and taken to be a lawfull Huy and Crie, or pursuit, vpon or after any the said felons or offenders, except the same huy and crie and pursuit be done and made by horsemen and footemen: Any vslage or custome to the contrarie notwithstanding. 27. Eliz. 13.

Notice of the
Robberie to
some dwelling
neere where it
was done.

10 No person or persons, that shall hereafter happen to be robbed, shall haue or maintaine any Action, or take any benefit by vertue of the said ii. mentioned Statutes, or either of them, except the said person or persons so robbed, shall with as much conuenient speed as may be, giue notice and intelligence of the said felony or robbery so committed, vnto some of the inhabitantes of some Towne, Village, or Hamlet, neere vnto the place where any such Robbery shall be committed: Nor shall bring or haue any action, vpon or by vertue of any the Statutes aforesaid, except he or they shall first within xx. daies next before such action to be brought, be examined vpon his or their corporal oth, to be taken before some one Justice of the peace of the Countie, where the robbery was committed, inhabiting within the said Hundzed where the robbery was committed, or neere vnto the same, whether he or they do know the parties that committed the said Robbery or any of them. And if vpon such examination it be confessed, that he or they do know the parties that committed the said Robbery, or any of them, then he or they so confessing, shall before the said Action be commenced or brought, enter into sufficient bond by Recognisance before the said Justice, before whom the said examination is had, effectually to prosecute the same person and persons so known to haue committed the said Robberie, by indictment or otherwise, according to the due course of the Lawes of this Realme. 27. Eliz. 13.

The partie
robbed exami-
ned before a
Justice and
bound to pro-
secute the of-
fenders.

A remedy for
the inhabitants
of the hundzed
of Benhurst in
the Countie of
Bark.

11 The inhabitants of the hundzed of Beynerth alias Benherst, within the Countie of Bark. shall & may to their owne proper vse, in the name of the Clarke of the peace of the said Countie of Bark. recouer, haue, and leuie all such summes of money, costs, and damages, as hereafter shall be recovered or leuied, of, or against them, by the aforesaid statutes, or any of them, against the Inhabitants or resiants of euery or any such Hundzed, with the Fraunchises within the precincts thereof, wherein negligence, fault, or defect of such pursuit and fresh suit (as by the said statute of 27. Elizab. is appointed to be made) shall happen to be, after notice giuen, or Huy and Crie brought to the same Inhabitantes or Resiants or any of them, of or vpon any Robbery, which shall be at any time hereafter done, within the said Hundzed of Beynerthe, And this present Act

shall

shall giue as full power and authoritie in all respects to the inhabitants of the said hundred of Beynershe alias Benhurst (in the name of the Clerke of the Peace of the said Countie) for recovery, hauing, and leuying of all the said money, costs, and damages, as aforesaid, as the aforesaid statute of 27. El. gaue or intended to giue for the recovery of a moiety, or one halfe thereof. 39. Eliz. 25.

12 Provided alwaies, that no such remedy or recovery shall be had, by this Statute, for all, or the whole summe or summes of money, and damages as aforesaid, But onely in these two cases, viz. The one, where no such notice or intelligence (as by the said statute of 27. El. was appointed to be giuen of euery or any robbery) shall be giuen to the Inhabitants of the said hundred of Beynershe, The other, where the inhabitants of the same hundred, (after such notice of any robbery to them, or some of them giuen, or after huy and cry for the same to them brought) shall make or cause to be made fresh suit, and pursuit, after the offenders, with horsemen and footmen according to the said statute of 27. El. And where neuertheles the offenders, or any, or one of them, shall not be apprehended within xl. daies after the robbery committed. 39. Eliz. 25.

In what cases only the recovery shall be had

1 That Huy and Crie shall be leued and pursued against him which will not obey the watch in the night. See Watch 1.

Hunters, Hunting.

If any Artificer, Labourer, or other lay man which hath not lands or tenements to the value of xl. shillings by the yere, or if any Priest or Clerke which hath not liuing to the value of x. li. by the yere, will haue or keepe any Greyhound, Hound, or other dogge for to hunt, or will vse Firretts, Meyes, Nets, Hareppes, Corbes, or other engins for to take or destroy Deare, Hares, Conies, or other gentlemens games, hee shall be imprisoned by the space of one whole yere. 13. R. 2. 13. S. Iustice of peace 36.

None shall hunt but which hath sufficient liuing.

2 If any person doth trace, destroy, and kill any Hare in the snow with dogge, bitch, or otherwise, he shall forf. for euery Hare so killed vi. s. viii. d. 14. H. 8. 10. S. Iustice of peace 37. Leetes 16.

Tracing of Hares.

3 If any person hauing no Parke, Chase or Forrest of his owne, doth keepe, or cause to be kept any Nets called Deare haies or Buckstals, he shall forf. for euery moneth that he keepeth the same x. li. to any person that will sue for the same by A. of debt, wherein no T. l. &c. E. p. &c. 19. H. 7. 11. S. Iustice of peace 35.

Buckstals.

4 Whosoever doth stalke, or cause any other person to stalke with any bulch or beast, to any Deare being in any parke, chase, Forrest, or without (but in his owne ground, Forrest, chase, or park,) without licence of the owner, Master of the game, or keeper of the same ground, Forrest, Chase or Park, shall forf. for euery time that he or they stalketh x. li. to any person that will sue for the same by Action of debt, wherein no Wager &c. E. p. &c.

Stalking.

Husbandry and Tillage.

19. H. 7. I. I. S. Iustices of peace 35. See Forests.

1 That vnlawful Hunting in parkes, warrens, &c. & denying the same, is felony. S. Felony 24.

2 That no person shall hunt where any eared or codded corne shall be standing. S. Feasants 4.

Husbandry and Tillage.

Hospitality and
husbandry in
Scites of mo-
nasteries.

AL persons to whom king Henry the eight or any of his heires or successors, heretofore sitthence 4. die Februarij Anno 27. of his Raigne, haue giuen, graunted, letten or demised, or hereafter shall giue, graunt, let, or demise, any Scite or pprecinct, with the houses thereupon builded together with the demeanes of any Monasteries, Priories, or other religious houses that were dissolued or giuen to the said King by the Act made Anno 27. Hen. 8. (viz. such as had not in landes, tenements and hereditaments, aboue the clere yerely value of two hundred poundes,) and the heires, successors and assignes of euery such person are bound to keepe or cause to be kept an honest continuall house and household in the same Scite or Pprecinct, and to occupy yerely as much of the demeanes in Plowing and Tilling of Husbandry, as then were commonly vsed to be kept in Tillage, by the gouernours, Abbots, or Priours of the same houses, Monasteries, Priories or by their Farmer or Farmers occupying the same, within twentie yeeres next before the same Statute vpon paine to forfait to the Queene for euery moneth offending to the contrarie, five poundes thirteene shillings foure pence, to be recouered to her vse, in any of her Courtes of Recorde 27. Hen. 8. in a Statute not imprinted 5. Elizabeth 2. 35. Elizabeth 7. See 35. Elizabeth 7. and 39. Elizabeth 1. & quare, whether they or either of them doe take away, or not, the force of the foresaid Statute of 27. Hen. 8. touching the keeping of the demeanes of the late Abbies &c. in Tillage.

which shalbe
called an house
of husbandry.

2 Euerie house that nowe (viz. 24. die Octobris Anno 39. Regine Elizabethæ) hath or heretofore had twentie acres of arrable lande, meadowe, and pasture, or more thereunto belonging, and so occupied or letten to farme, by the space of three yeres together, at any time since the beginning of the Queenes raigne that nowe is, and which is not or hath not bin the Castle or dwelling house of any Noble man or Gentleman, nor the chiefe mansion house of any Mannor, is, and shall be adiudged a house of husbandrie for euer, And all acres spoken of in this statute, shalbe adiudged acres accordiag to the statute or ordinance de terris mensurandis. 39. Eliz. 1.

Wrights &c. 5.

Decay of houses
of husbandry
since the be-

3 If any person or persons, bodies politique or corporate, at any time since the beginning of her said Maiesties raigne, and before seven yeeres

peccres now last past, haue decayed or wasted, or willingly suffered to be decayed or wasted any such houses of Husbandrie, in euery such case the offender in that behalfe shall erect, builde, or repaire, vpon some conuenient part of the Scites where the decayes were or beene, or of the Landes to such houses heretofore belonging; the one halfe in number of such houses so decayed or wasted, if the offender now hath or hereafter by the expiration, surrender, forfeiture, or other determination of such leases or estates as nowe are in Esse, shall or may haue in his or their owne vse or occupation, so much of the landes, which belonged to the same houses or any of them, as will suffice to lay thereof fortye acres of arrable land, meadowe, and pasture to euerie of the same houses so to bee erected, builded or repaired: And shall then also put to euerie of the same houses fortye acres of the same landes at the least, being arrable land, meadowe and pasture conuenient and fitt to be vsed, and occupied with the same houses; And if the offender now hath not, nor hereafter by the expiration, surrender, forfeiture or determination of any such leases or estates, as are now in Esse, shall not or may not haue so much of the said landes, then the offender to erect, build, or repaire so many of the same houses before by this act intended to be erected, builded, or repaired, as the same offender can of the same landes then in his or their owne vse and occupation, put thereunto fortye acres of arrable land, meadow, and pasture, and in such case also the same offender shall put to euery such house so erected, builded, or repaired, fortye acres of the same land at the least, being arrable land, meadow, and pasture, which shall be fit and conuenient to bee vsed and occupied with the same. 39. Eliz. I.

gining of the
D. raigne, and
before 7. yeres.

The one halfe
of the houses
decayed shall be
erected.

xl. Acres of land
laid to euery
house.

If the offender
haue not the
lands in his
hands.

4 And if any the same decayed houses and Scites, and the landes thereunto heretofore belonging, or any part thereof, be in, or doe come to the possession or handes as aforesaid, of any as heire, executour, administratour, or successour to the offender, or otherwise as assignee, by the immediate and free gifte of the offender as aforesaid, in euery such case, such heire, executour, administratour, successour, or assignee, vpon the Scites or some other conuenient part of the same Landes so growen or come vnto him or them, And for and in respect of so much of the same landes as is not before satisfied, by erecting, building, or repairing of Houses of Husbandrie, and supplying the same with lands according to the true intent of this Act in that behalfe, shall erect, build, or repaire such and so many Houses of Husbandrie in such manner and with like addition of landes thereunto, as the offender proportionably should haue done in the like case by the true meaning of this Act. 39. Elizab. I.

The heire, execu-
cutor, admini-
strator, succes-
sor or assignee
of the offender.

5 And if any of the same wastings or decayings haue hapned wⁱⁿ 7. yeres now last past, the offenders in y^e behalfe hauing now, or which hereafter by the

Decayes of hou-
ses of husbandry
within 7. yeres
now last past.

Husbandry and Tillage.

The whole number of houses decayed.

the expiration, surrender, forfe. or other determination of such leases or estates as are now in esse, shall or may have in his or their own use or occupation, so much of the same site or lands, which belonged to y^e same house so decayed or wasted, or any of them as can supply every of the same houses which before had, belonging unto it under xl. acres, with xx. acres of arable land, meadow and pasture: & every such of the same houses, which before had xl. acres or above belonging unto it, with xl. acres of arable land, meadow, and pasture, shall erect, build, or repaire, upon some convenient part of the sites or lands y^e belonged to the same houses or any of the, the whole number of the houses so decayed or wasted: And for every such of the same houses of husbandry as heretofore had under xl. acres of arable land, meadow, & pasture belonging unto it, shall put to the houses of husbandry so to be erected builded or repaired of the lands, which such offender hath or shall have as aforesaid, xx. acres at the least of arable land, meadow, & pasture, fit & convenient to be used & occupied therewith: And for every such of the same houses of husbandry so wasted or decayed as aforesaid, as had belonging to it xl. acres of arable land, meadow, and pasture or more, shall put to every of the same houses so to be erected builded, or repaired of the same lands which such offender hath, or shall have as aforesaid, xl. acres at the least of arable land, meadow and pasture, fit and convenient to be used and occupied therewith. And if the same offender have not, or shall not have as aforesaid, so much of the lands belonging to any of the same houses, as may therewith performe that which is aforesaid, the same offender shall erect, build, or repaire so many only of y^e same houses of husbandry as he can, with the same lands in the use and occupation as aforesaid of such offender, supply the same houses with such quantity of arable land, meadow, and pasture, as before in this Article is mentioned to be put to the same, and shall put to every of the same houses of the same arable land, meadow, and pasture accordingly.

39. Eliz. 1.

The heire executor, administrator, successor, or assignee of the offender.

6 And if the same decayed or wasted Sites, or houses and lands thereunto heretofore belonging, or any part thereof be in, or do come to the possession or occupation as aforesaid, of any as heire, executor, administrator, or successor to the said offender last before mentioned, or otherwise as assignee, by the immediate and free gift of the same offender, in every such case, such heire, executor, administrator, successor, or assignee, upon some convenient part of the same Site, or lands, so grown or come unto him or them: And for and in respect also much of the same Site and lands as is not before satisfied by erecting, building, or repairing of houses of husbandry, and supplying the same with lands according to the true intent of this Act in that behalfe, shall erect, build, or repaire, such and so many houses of husbandry, and with like addition of lands thereunto, as the offender proportionably should have done in like case by the true meaning of this act, 39. Eliz. 1.

7 All such as haue or shall haue any the houses of husbandry decayed or Purchasers, wasted as is aforesaid, at any time since the beginning of her said Maies raigne, or the lands therunto belonging, or any part thereof, by, from, or vnder the offender, for money or other consideration, or otherwise by any other title then vnder the offender: in euery such case, such so hauing such scites, or houses so decayed or wasted as aforesaid, and the lāds which did thereunto belong, or any part thereof, and not before that erected, builded, or repaired with houses of husbandry, and supplied with lands according to the true meaning of this act, shall for and in respect of the same lands, which he or they so haue, proportionably erect, reedifie and repaire onely the fourth part in number of the like houses of husbandry, and with such and the like quantity of the same landes to be added to euery of the same houses of husbandry, as is before mentioned for the offender, to doe and performe in like cases of decayes made within seuen yeres now last past. 39. Eliz. 1.

The 4. part.

8 Euery person, bodie, politique and corporate that is to make any erection, building or repairing of houses, as is aforesaid, shall performe two of the same erections, buildings or repairings, before the feast of Pentecost in the yere of our Lord god 1599, if so many be to be done by such party, if not, then one where but one is to be done: And who is to performe more then two, shall thenceforth yerely performe two other of the same, vntil al such erectiōs, reedifyings, & repairings be fully performed, which that party is to doe and performe by the true intent of this act, And as the same houses shall from time to time be erected, builded or repaired, the lands as is aforesaid shalbe put thereunto, and for such houses as are now standing, the lands in maner as is aforesaid shalbe put thereunto, before the said feast of Pentecost in the yere aforesaid. 39. El. 1.

Within what time the building erection or repaire of houses shalbe made

The lands shalbe put to the houses.

9 All houses of husbandry, which are to be erected, builded, or repaired by the true intent of this act, And all other houses of husbandry now standing, shal from time to time for euer, by the occupiers and possessors thereof be vpholden and maintained, in good and conuenient reparations, inhabitable and tenantable, and as houses of husbandry in those parts. And the lands therto to be put, or now belonging as aforesaid, or alinuch in goodness, quantity, and quality, shalbe demised with the house by the lessor thereof, Whensoever the same house shalbe demised without any willing default of the lessor in that behalfe, And the same lands shalbe vsed and continued in Tillage and husbandry according to the statute in that behalfe. And where any in reason or good conscience ought to haue contribution from any other towards the charges of any the erections, buildings, or repairings aforesaid, In euery such case vpo a bil to be exhibited into y^e high Court of Chancery by such partie against any decayer, or other that ought to be contributozie to the same as aforesaid, such cōtribution shalbe giuen, and in such sort leuied and paid, as by order of that Court shall in that behalfe

Houses of husbandry shalbe kept in repaire,

Contribution recovered in the Chancery,

Husbandry and Tillage.

halfe be set downe or taken. 39. Eliz. 1.

The ouerplus
of lx acres to
supply of, or vn-
der xl. acres.

10 Provided alwaies neuertheles, if any house of husbandry now stand-
ing, hath or shal haue belonging to it, or letten therewith aboue the num-
ber of lx. acres of arrable land, meadow or pasture in the whole, the ouer-
plus thereof may from time to time be added to supply or make vp any o-
ther house, to be a house of husbandrie of or vnder xl. acres. 39. El. 1.

Exchanges.

11 And for the more better and commodious occupying or husbandry
of any the lands, meadows or pastures which shalbe allotted or belonging
to any house of husbandry as is aforesaid, it shalbe lawfull for any Lord to
make exchange with any his Tenants, or any tenant or other person with
the assent of the Lord to change the one with the other without incurring
any the penalties of this statute any thing in this act to the contrarie not-
withstanding, 39. Eliz. 1.

A new house
builded in steed
of the old de-
caied.

12 Provided also, that if any person hath erected, or hereafter shall e-
rect, any new like house of husbandrie where no house of husbandrie was
at any time since the beginning of her Maiesties raigne, with like lands
allotted, or to be allotted thereunto as aforesaid, and as conuenient, in lieu
or place of any house of husbandrie heretofore deciaied, or hereafter to be
decaied, and within two miles thereof. That in euery such case such house
so deciaied or to be deciaied, is not, nor shal not be repaired, reedified, or con-
tinued by the true intent of this Act, so alwaies that the same house new-
ly erected or to be erected, be continued a like house of husbandry, as afoze-
said for euer. 39. Eliz. 1.

A gentleman
taking into his
hands land not
exceeding xxx.
acres.

13 If any person or persons, which hath built any mansion house fit
for the dwelling of a Gentleman or any person of a higher degree, hath
taken into his hands any lands not exceeding the quantity of fiftescore a-
cres, or houses not exceeding the number of two houses, conuenient and
needfull to be imployed for maintaining of necessary hospitality, and house
keeping in that house, such person for such taking into his hands, or decay-
ing of such lands or houses shal not be deemed or taken for an offender by
this statute. 39. Eliz. 1.

This statute
doth extend to
no parke or in-
closed ground
for deere.

14 Provided also that this act, or any thing therein contained, shal not
extend to any Parke, or inclosed ground for Deere, or any Lands or hou-
ses therein, the same being at this present chiefly stozed with or imployed
to deere. 39. Eliz. 1.

They which be
out of the Re-
alme, Infants,
or of Non sane
memoria.

15 Provided also that this Act or any thing therein contained, shal not
be prejudicial to any being out of the Realme, or Infant, or of Non sane
memoria, which before by this Act ought to reedifie, erect, or repaire any
house, or houses of husbandry, so that euery such person shal perely next af-
ter his returne, full age, or being of Sane memoria, performe therein the
intents of this Act. 39. Eliz. 1.

The for. of
offenders.

16 Euery person and persons, bodies politique, & corporate, which shal
offend in any the premisses, shal for euery house that shal not be erected,
built

builded, repaired, continued or maintained in necessary reparations, tenantable, according to the true meaning of this Act, by the space of one yere, forfalt x. li. and so yerely x. li. untill the same shall be sufficiently erected, builded, continued, or repaired. And for every acre of land, meadow, or pasture, which shall not be laied vnto, or let with such houses of husbandrie, when the same shall be demised as aforesaid, shall forfalt for every yere he or they shall so offende, the summe of tenne shillings, as long and as often as such acre shall not in those respects be used, and ordered according to the intent of this Act: which forfeitures shall be divided into three equall parts, whereof one third part to be to the Queenes Maiestie, her heires and successors, one other part to be to the vse of the poore within the Parithe where the offence shall be committed, to be delivered by the order of the Court, in which the same shall bee recovered, to the Churchwardens of the same Parithe without any charge or other warrant, and the other part to such as will sue for the same, in any Court of Record at Westminster, by A. B. P. or T. if any such wil sue, if not, to the Queenes Maiestie, her heires and successors, in which suit, no E. P. T. A. &c. 39. Eliz. 1.

17 Provided also that no offender shall be impeached or sued by verue of this Act, except such suit shall be brought and commenced within two yeres of the same offence committed or done, being prosecuted by any, for himselfe and her Maiestie, her heires, or successors, but in case where the said suit shall be brought or prosecuted for her Maiestie, her heires or successors onely, then such suit to be brought and commenced within three yeres of the same offence done and committed. 39. Elizab. 1. This Act to endure but to the end of the next Session of Parliament.

Within what time the offender shalbe sued.

18 Whereas any Lands or grounds at any times, Since the 17. of Nouember, Anno primo Elizab. haue bin conuerted to sheepe pastures, or to the fattening or grazing of Cattel, the same lands hauing bin tillable lands, fields, or grounds, such as haue bin vled in tillage or for tillage by the space of twelue yeres together at the least: next before such conuersion, according to the nature of the soile and course of husbandry vled in that part of the Countrey, all such lands and grounds, as aforesaid, shall before the first day of May, which shalbe in the yere of our Lord God 1599. be restored to Tillage, or laied for Tillage in such sort, as the whole ground, according to the nature of that soile, and course of husbandry vled in that part of the Countrey, be within three yeres at the least, turned to tillage by the occupiers and possessors thereof, and so shalbe continued for ever. 39. Eliz. 2.

Pasture to be conuerted into Tillage.

Land shalbe restored to tillage before 1. May An. Do. 1599.

19 All lands and grounds which now are vled in tillage or for tillage, hauing bin tillable lands, fields, or grounds, such as next before the 1. day of this present Parliament, haue bin by the space of xii. yeres together at the least,

Arable land shall not be put to pasture or mowd.

least,

Husbandry and Tillage.

least vsed in Tillage, or for tillage, according to the nature of the soile, and course of husbandry vsed in that part of the countrey, shall not be conuer-
ted to any sheepe pasture, or to the grazing or fattening of Cattel by the oc-
cupiers or possessors thereof, but shall according to the nature of that soile
and course of husbandry vsed in that part of the Countrey, continue to be
vsed in Tillage or for Tillage, for Cozne or Graine, and not for woad.
39. Eliz. 2.

Land worne
out with tillage
laid to grazing
for a time.

20 Provided neuerthelesse, that if any person or bodie politique or
corporate, hath since the 17. of Nouember aforesaid laied, or hereafter shall
lay any ground to graze, or hath vsed or shall vse the same ground with
sheep, or any other cattel, which ground hath bin or shall be diuened or worne
out with tillage onely vpon good husbandry, and with intent, bona fide,
without fraud or couin, the same ground should recouer hart and strength,
and not with intent to continue the same otherwise in sheepe pasture, or for
fattening or grazing of cattel, that no such person or body politike or corpo-
rate, shall be intended for that ground a conuerter within the meaning of
this law. 39. Eliz. 2.

Putting of o-
ther ground in-
to tillage in
steede of that
which is couer-
ted into pasture

21 Provided also that if any such occupier or possessor of ground, as a-
foresaid, hath broke vp, conuerted, or laied forth, or shall break vp, conuert,
or lay forth into tillage any other ground not liable to this present law, as
aforesaid, and lying within the same parish, towne, hamlet, or Lordship,
or within two miles of the same land formerly tilled, that for such quanti-
ty only, and for so long time as he hath so done or continued, or shall so doe
or continue, he shall not incurre any penalty contained in this act, but that
it shall be lawfull for any such occupier or possessor, at his libertie and plea-
sure, and according to his best commodity and husbandry, to change and
alter from time to time such ground put, or to be put in tillage, so that e-
uery such occupier doe keepe the summe or totall of the quantity or pro-
portion of his grounds lying within the the same parish, towne, hamlet, or
Lordship, or within two miles of the same land formerly tilled in tillage,
as aforesaid. 39. Eliz. 2.

For what pur-
poses tillage
may be conuer-
ted into pasture

22 Provided also that this act shall not extend to any ground that any
person, body politike or corporate hath turned or shall turne from tillage
to pasture, for the only maintenance of keeping of his or their own horses,
geldings, mares, or draught oxen, or the horses geldings or mares of his or
their own family, or others comming to his or their house, or for the main-
tenance or keeping of kyne, sheepe or other cattel, for the only victuals to
be spent in his or their houses, or for the necessary soyling of his or their
Tillable lands. Provided neuertheles, that no persons that shall common-
ly feede, and sell yeerely Beeuies, and Buttons to a greater number then
he or they shall yerely spende in victuall in his or their mansion house or
houses, and moze then shall grow or be needful to be culled out, or in respect
of the necessary stockes for maintenance of housekeeping, and soyling the
tillable

Feeders & sel-
lers of beeuies
and muttons.

tillable lands, as aforesaid, or that shall be a common fatter of Beecves or Huttons, or any of them, as a common Grasser or Sheepemaster, to be commonly sold in Markets and Faires, or to the common Butchers, or ther then in respect of the necessary stockes aforesaid, shall be taken, expounded or understood to be such person or persons, bodies politique or corporate, as by this Prouiso last aboue mentioned, may keepe any ground or pasture whole and not conuerted into tillage for the maintenance & keeping of kine, sheepe, or other cattell for the onely victual to be spent in their owne houses, or for the needful soyling of their tillable lands, but bin and shall be excepted out of the same Prouiso, Any thing in the same Prouiso contained to the contrary notwithstanding. 39. Eliz. 2.

They which conuert tillage into pasture be not for some causes resident at their houses.

23 Whereas it is mentioned that this Act or any thing therein contained, shall not extend to be preiudiciall to any person or persons, bodies politique or corporate, for the keeping of any ground in pasture, for the onely maintenance and keeping of his or their horses, mares, geldings, or draught oxen, or for the maintenance, and keeping of kine, and other Cattell, for the onely prouision and victualling of his or their mansion or dwelling house or houses: if it shall fortune any such person or persons to bee absent, and not resident at or vpon his or their vsuall mansion, or dwelling house or houses, with his familie or household, for and by occasion of seruice, or attendance to be done by any such person or persons, by the expresse commaundement of the Queene, her heires, or successors, within the Realme, or without, or elshauing two or thzee mansion or dwelling houses, shall be resident and dwelling with his family, but at one of them, or shall be within age, That then during, and for the time of such seruice, attendance, minozity, and absence, and one yere next after, or during, and for the time that he or they shall be resident or dwelling with his family, but at or vpon one of his dwelling houses, he or they shall and may keepe such groundes in pasture, belonging or vsuallly occupied, with any of the said two or thzee houses, and with no more, or others in his or their own hands or occupation, or let it out to any other person or persons, without incurring of any daunger or forfeiture by vertue of this Act, So that the same person or persons, shall and doe keepe the same mansion and dwelling house or houses vnletten in good sufficient reparations, and meet and conuenient for him or them to repaire, and resort vnto at all times, for his and their dwelling and abode, Any thing in this act to the contrary thereof in any wise notwithstanding. 39. Eliz. 2.

The forf. of xx. s. an acre of land conuerted from tillage to pasture.

24 If any person, or bodie politique, or corporate, shall offend against the premisses, euery such person or bodie politique or corporate so offending, shall loose and forfeit for euery acre not restored or not continued, as is aforesaid the summe of xx. s. for euery yere that he or they so offend. And the said penalties or forfeitures shall be deuided in thzee equal parts, wherof one third part to be to the Queene, her heires and successors, to her and theirs

Husbandry and Tillage.

their owne vse, one other third part to the Queene her heires & successors for reliefe of the poore in the parishe where the offence shall be committed, if any such be, to be deliuered by warrant of the principall officers in the receipt of the Eschequer, without further warrant from her Maiesty, her heires and successors, and the other third part to such person as wil sue for the same in any Court of Record at West, by A. V. 13. J. in which suit no C. 13. 21. &c. 39. Eliz. 2.

That Iustices of Assise & the peace may enquire the offences.

25 The Iustices of Assise, or Iustices of peace in euery County within this Realme at the Assises or quarter or generall Sessions, shall haue full power and authority by vertue of this act, to enquire, heare, & determine all & euery the defaults and offences committed or done contrary to this act, within the county where any such Assises or sessions shalbe kept, by Inquisition, Presentment, Indictment, Bill, or Information, or by any of the same waies or meanes, and vpon the conviction of the offender by information or suit of any other then her Maiesty, her heires, or successors, to make extracts of one third part of the forfeitures to be leuied, for the Q. her heires and successors, as they vse to doe of other fines, issues, and amerciements growne in the Sessions of peace, and to award execution of the two other third parts, the one for the complainant or Informer, & the other to the poore by the discretion of the Iustices of peace at the generall Sessions against the offender by Fieri facias and Capias, as her Maiesties Iustices at West, may do & vse to do, And if any such conviction shal hereafter happen to be at her Maiesties suit only, then the forfeitures to be extracted and leuied for her Maiestie her heires and successors to the vses aforesaid. 39. Eliz. 2.

None shalbe punished but once for one offence.

Within what time the offenders shalbe sued

26 If any person shall hereafter be punished, by vertue of this act, for any thing mentioned in this act, then the same person shall not otherwise be vexed, troubled, sued, or put to any paine or punishment for the thing, wherefore he or they shal haue bin so punished. Provided that no offenders shall be impeached or sued by vertue of this Act, except such suit shall bee brought and commenced within two yerres of the said offence committed or done, In case where the said suit shall be brought and prosecuted in the name of any Informer, And in case the same suit shalbe brought and prosecuted in her Maiesties name, or in the name of her heires or successors, then such suit to be brought and commenced, within three yerres of the offence done and committed. 39. Eliz. 2.

Conversion of land into tillage shall be noe breach of covenant, bond, condition, collateral assurance.

27 Provided also no land compellable to be put in Tillage by vertue of this act, shalbe deemed or adiudged a breach or forf. of any couenāt, bond, or condition, betweene any persons whatsoever. Neither that any person that shalbe compelled to put any lands into Tillage by vertue of this act, shall therefore incurre any penaltie or preiudice collaterall, or other, whether it be of augmentation of rent, giuing of any recompence or consideration, or the like, but shalbe in Law discharged of euery such limitation, con-

covenant, condition, or agreement. 39. Eliz. 2.

28 Provided neuertheles, that this act shall not extend to any pasture, heath, downes, wast, or barren ground, which hath not heretofore bin commonly used to be cared or tilled for coyne, And which is not meete & strong enough to be continued still in tillage, according to the nature of the soile, and custome of the countrey, Nor to any commons, fens, moores, mosses, nor to any marshes being usually ouerflowne with water, at any time of the yere, Nor to any marshes or grounds recovered and imed, and which are or shalbe so kept and continued by charge of bankes, Nor to any parke or parkes, warren or warrens, Nor to any inclosed grounds now used with Deere, or Conies, or which hereafter by licence from her Maiestie, her heires or successors, with sufficient clause of dispensation mentioning this Act, shall be principally bestowed and imploied to the maintenance of Deere, and Conies, without fraud or couin, nor to any meadowes, nor to any wood grounds, nor to any orchard, garden, poole, or pondyard, nor to any grounds set or sown with saffron, hoppes, garlick, onions, or other such garden rootes, meete for victuall, Nor to any plott, or soyle, whereupon any house or tenement inhabitable is erected, and the curtilages, yards and backslides thereof, nor to any ground occupied or let with any tenement, being vnder the quantity of twenty acres, as long as such tenements shall be continued not decayed, nor to any grounds wherein any Ore, Lead, Tinne, Iron, Cole, commonly called Sea cole, Stone cole, or Poore cole is commonly got, All which to be intended during such time onely, as all and euery the grounds aforesaid, shalbe used, or put to the uses and intents aboue specified, Any thing in this Act to the contrary notwithstanding. 39. Eliz. 2.

To what ground this statute doth not extend.

29 Provided alwaies that this last prouiso shal not giue any benefit, advantage, or libertie to any person or persons, which hath conuerted or imploied, or hereafter shall conuert or imploy any more ground to the keeping of conies, not being lawfull warren, then x. acres at the most, and the same to be within one mile of his dwelling house. 39. Eliz. 2.

But x. acres for a warren and within a mile of the owners house.

30 Provided also that this act shal not extend to any Countie within this Realme of England, but such onely as shall be hereafter specified, that is to say, the Counties of Northampton, Leicester, Warwick, Buckingham, Bedford, Oxford, Berkshire, the Isle of Wight, Gloucester, Worcester, Nottingham, Hampshire, Wiltshire, Somerset, Dorset, Darby, Rutland, Lincoln, Hereford, Cambridge, Huntingdon, York, Pembroke in South-wales, and the Bishopricke of Durham, and Northumberland, the counties of all Cities and Corporations, lying, situate, & being within the Counties aforesaid, or confining to the same, and the Aprntie of the Countie of the Citie of Yorke. 39. Eliz. 2.

To what countie onely this statute doth extend.

31 Provided alwaies, that neither this Act, nor any thing therein contained, shall extend to any ground now conuerted from tillage to meadow

Icofaile.

or pasture, lying within two miles of the great roade way, called Watling streete, leading from the towne of Dunstable in the Countie of Bedford, towards Westchester, So that the same ground be not aboue five miles from the parish Church of Dunstable, nor within two miles thereof. 39. Eliz. 2. This Act to endure to the ende of the next Session of Parliament.

1 That the Iustices of Assise and Iustices of Peace may enquire of, heare and determine the offences committed contrarie to the foresaid Acts. S. Iustices of peace.

2 In what case a husbandman may take an Apprentice. See Labourers 15.

Icofaile.

After issue
there shall be
Judgement
notwithstanding
any Ico-
faile or mis-
pleading.

If any issue be tried by the oath of twelue or more indifferent men for the partie plaintife or demaundant, or for the tenant or defendant, in anie action or suit at the Common Law of this Realme, in any of the Queens Courtes of Record, then the Justice and Iustices by whom Judgement thereof ought to be giuen, shall proceed and giue Judgement in the same anie mispleading, lacke of colour, insufficient pleading, or Icofaile, any miscontinuance or discontinuance, any misconueying of proces, mistopning of the issue, lack of warrant of Attorney for the partie against whom the same issue shall happen to be tried, or any other default or negligence of any of the parties, their counsaillors or attourneis, had or made to the contrarie notwithstanding. And the said Judgements therof so to be had and giuen, shall stand in full force to all intents according to the said verdict, without any reuersall, or vndoing of the same, by writ of Error or of false Judgement, in like forme, as though no such default or negligence had neuer bin had or committed. 32. H. 8. 30. 2. Ed. 6. 32.

No stay of
Judgement for
lacke of forme.

2 If any verdict of rit. men or more shall be giuen in any action, suit, bill, plaint, or demaund in any Court of Record, the iudgement thereupon shall not be staied, or reuersed by reason of any default or lacke of forme, touching false Latin, or variance from the Register, or other defaults in forme, in any writ originall, or iudiciall, count, declaration, plaint, bill, suit or demaund, or for want of any writ originall, or iudiciall, or by reason of any imperfect, or insufficient returne of any Sherife, or other officer, or for want of any warrant of atturney, or by reason of any maner of default in proces vpon or after any Aid prier, or voucher. Nor any such Record nor iudgement after verdict giuen shall be reuersed for any of the defects or causes aforesaid, any law, statute, or vsage &c. notwithstanding. But this Act shall not extend to any writ, declaration, or suit of Appeale of felony, or murder, nor to any indictment, or presentment of felony, murder, treason, or other matter, nor to any proces vpon any of them, nor to any writ, bill, action, or information, vpon any popular or penall statute. 18. Eliz. 13.

Iesuits,

All and euery Iesuits, Seminarie Priests, & other Priests whatsoever, made, or ordeined out of the Realme of England, or other the Queenes highnesse dominions, or within any of her Maiesties Realmes or dominions, by any authoritie, power, or iurisdiction, deriued, challenged or pretended from the Sea of Rome, since the feast of the Natiuitie of S. John Bapt. An 1. Eliz.) shall within xl. dayes next after the end of this present session of Parliament, depart out of this Realme of England, and out of all other her highnes Realmes & dominions, if the wind, weather, & passage shall serue for the same, or else so soone after the end of the said xl. daies, as the wind, weather, and passage shall so serue. 27. Eliz. 2.

2 It shall not be lawfull, to, or for any Iesuit, Seminarie Priest, or other such Priest, Deacon, or religious or ecclesiasticall person whatsoever, being bozne within this Realme, or any other the Queenes highnes dominions, and heretofore (since the said feast of the Natiuitie of S. John the Bapt. An 1. Eliz.) made, ordeined, or professed, or hereafter to be made, ordeined, or professed by any authoritie or iurisdiction, deriued, challenged, or pretended from the Sea of Rome, by, or of what name, title, or degree soeuer the same shall be called or knowen, to come into, be, or remaine in any part of this Realme, or any other her highnesse dominions after the end of the same xl. daies, other then in such speciall cases and vpon such speciall occasions onely, and for such time onely, as is expessed in this Act: And if he doe, then euery such offence shall be taken and adiudged to be high Treason. And euery person so offending, shall for his offence, be adiudged a Traitor, and shall suffer, lose, and forfeit, as in case of high Treason. 27. Eliz. 2.

3 Euery person which after the end of the same xl. daies, and after such time of departure, as is before limited & appointed, shall wittingly and willingly receiue, relieue, comfort, aid, or maintaine any such Iesuit, Seminarie Priest, or other Priest, Deacon, or religious or ecclesiasticall person, as is aforesaid, being at libertie, or out of hold, knowing him to be a Iesuit, Seminarie Priest, or other such Priest, Deacon, or religious or ecclesiasticall person, as is aforesaid, shall also for such offence, be adiudged a Felon without benefit of Clergie, and suffer death, lose, & forfeit, as in case of one attainted of Felonie. 27. El. 2.

4 If any of her Maiesties subiects (not being a Iesuit, Seminarie Priest, or other such Priest, Deacon, or religious or ecclesiasticall person as is before mencioned) now being, or which hereafter shall be of, or brought by in any Colledge of Iesuites, or Seminarie, already erected, or ordeined, or hereafter to be erected or ordeined in the parts beyond the Seas, or out of this Realme in any foraine parts, shall not within fixe Monethes next after Proclamation in that behalfe to be made in the Citie of London, vnder the great Seale of England, returne into this Realme, and thereupon, within two daies next after such returne, before the

All Iesuites and Priests that depart out of the Realme.

No Iesuit or Priest shall come into, or remaine within this Realme

Receiuing or relieuing a Iesuit or Priest.

They which be in Seminaries shall after Proclamation returne and take the oath.

Iesuites, and Priests.

Bishop of the dioces, or two Iustices of peace of the Countie where he shall arriue, submit himselfe to her Maiestie and her Lawes, and take the othe set forth by Act (*An primo Eliz.*) Then euery such person which shall otherwise retorne, come into, or be in this Realme, or any other her highnesse dominions, for such offence of returning, or being in this Realme, or any other her highnesse dominions without Submission as aforesaid, shall also be adiudged a Traitor, and suffer, lose, and forsaite, as in case of high Treason. *27. Eliz. 2.*

Sending reliefe to any Jesuit, Priest or person abiding in any Seminarie.

5 If any person vnder her Maiesties subiection or obedience, shall at any time, after the end of the said xl. daies, by way of exchange, or by any other shift, waies, or meanes whatsoeuer, wittingly and willingly, either directly or indirectly, conuey, deliuer, or send, or cause, or procure to be conueyed or deliuered to be sent ouer the Seas, or out of this Realme, or out of any other her Maiesties Dominions or Territories into any foraine parts, or shall otherwise wittingly & willingly yeeld, giue, or contribute any money or other Reliefe, to, or for any Iesuit, Seminarie Priest, or such other Priest, Deacon, or religious or ecclesiastical person, as is aforesaid, or to, or for the maintenance or reliefe of any Colledge of Iesuites or Seminarie, alreadie erected, or ordeined, or hereafter to be erected or ordeined in any the parts beyond the Seas, or out of this Realme in any foraine parts, or of any person then being of, or in any the same Colledges or Seminaries, and not returned into this Realme with submission, as in this Act is expessed, and continuing in the same Realme: Then euery such person so offending, for the same offence, shall incurre the danger and penaltie of Praemunire, mencioned in the Statute of Praemunire, made Anno 16. R. 2. *27. El. 2.*

Done that send his child or other beyond the Seas without licence.

6 It shall not be lawfull for any person, of, or vnder her highnesse obedience, at any time after the said xl. daies, during her Maiesties life, (which God long preserve) to send his or her child, or other person, being vnder his or her gouernment, into any the parts beyond the Seas out of her Highnesse obedience, without the special licence of her Maiestie, or of fower of her priue Counsell vnder their hands in that behalfe first had or obtained (except Marchants, for such onely as they or any of them shall send ouer the Seas, onely for, or about his, her, or their trade of merchandize, or to serue as Mariners, and not otherwise) vpon paine to forsaite and lose for euery such his offence the summe of a C. li. *27. Eliz. 2.*

Where the offence committed against this Act, shall be inquired of, heard & determined.

7 Euery offence to be committed or done against the tenor of this Act, shall and may be inquired of, heard and determined aswell in the Court, commonly called the Kings Bench, in the Countie where the same Court shall for the time be, as also in any other Countie within this Realme, or any other her highnesse dominions, where the offence is or shall be committed, or where the offender shall be apprehended and taken. *27. El. 2.*

8 It shall and may be lawfull, for and to every owner and Master of Transporting any Ship, Barke, or Boate, at any time within the said xl. dayes or other time before limited for their departure, to transport into any the parts beyond the Seas, any such Jesuit, Seminarie Priest, or other Priest asforesaid, so as the same Jesuit, Seminarie Priest, or other Priest asforesaid, so to be transported, do deliver unto the Maio, or other chiefe Officer of the Towne, Port, or place where he shall be taken in to be transported, his name, and in what place he received such order, and how long he hath remained in this Realme, or in any other her highnesse dominions being under her obedience. 27. Cl. 2.

of Jesuites,
Priests, &c.

9 This Act, or any thing therein contained, shall not in any wise extend to any Jesuit, Seminarie Priest, or other such Priest, Deacon, or religious or ecclesiasticall person, as is before mentioned, as shall at any time within the said xl. daies, or within iii. daies after that he shall hereafter come into this Realme, or any other her highnesse dominions, submit himselfe to some Archbishop or Bishop of the Realme, or to some Justice of peace within the Countie where he shall arrive or land, and doe thereupon truely and sincerely before the same Archbishop, Bishop, or such Justice of peace, take the said oath set forth Anno 1. Cl. and by writing under his hand, confesse, and acknowledge, and from thencefoorth continue his due obedience unto her highnesse Lawes, Statutes, & ordinances, made and provided, or to be made or provided in causes of Religion. 27. Cl. 2.

Fansur to Jesuits & Priests upon their submission.

10 If it happen at any time hereafter, any Peere of this Realme, to be indicted of any offence, made Treason, Felonie, or Præmunire by this Act, he shall haue his triall by his Peeres, as in other cases of Treason, Felonie, or Præmunire, is accustomed. 27. Cl. 2.

Triall of a Peere.

11 If any Jesuit, Seminarie Priest, or other Priests abovesaid, shall fortune to be so weake or infirme of bodie, that he or they may not passe out of this Realme, by the time herein limited without imminent danger of life, & this understood aswell by the corporall oath of the partie, as by other good meanes unto the Bishop of the Dioces, & ii. Justices of peace of the same Countie, where such person or persons do dwel or abide: Then, and vpon good & sufficient band of the person or persons, with suerties of the summe of C. li. at the least, with condition that he or they shall be of good behaviour towards our Soueraigne Ladie the Queene & all her liege people: Then he or they so licenced and doing as is aforesaid, shall and may remaine & be still within this Realme, without any losse or danger to fall on him or them by this Act, for so long time, as by the same Bishop and Justices shall be limited and appointed, so as the same time of abode excede not the space of five Monethes at the most. And no person or persons shall sustain any losse, or incurre any danger by this Act, for the receiving or maintaining of any such person or persons so licenced as is

A Jesuit or Priest weake of body, that he cannot passe out of the Realme.

Iesuites, and Priests.

aforesaid, for, and during such time onely as such person or persons shall be so licenced to carrie within this Realme: Any thing contained in this Act to the contrarie notwithstanding. 27. Cl. 2.

Danger in him which concealeth his knowledge of Iesuites and Priests.

12 Every person or persons being subiect of this Realme, wich after the said xl. daies, shall know and understand, that any such Iesuit, Seminarie Priest, or other Priest abovesaid, shall abide, stay, tarrie, or be within this Realme, or any other the Queenes dominions and Countreies, contrarie to the true meaning of this Act, and shall not discover the same unto some Justice of peace, or other high Officer, within twelue daies next after his said knowledge, but willingly conceale his knowledge therein, euery such offender shall make fine, and be imprisoned at the Queenes pleasure. And if such Justice of peace, or other such Officer, to whom such matter shall be discovered, do not within xxviii. daies then next following, giue information thereof to some of the Queenes priuie Counsell, or to the President or Vicepresident of the Queenes Counsell established in the North, or in the Marches of Wales, for the time being: Then he or they so offending, shall for euery such offence, forsaith the summe of CC. markes. And such of the priuie Counsell, President, or Vicepresident, to whom such information shall be made, shall thereupon deliuer a note in writing, subscribed with his owne hand, to the partie by whom he shall receiue such information, testifying that such information was made vnto him. 27. Cl. 2.

A Justice of p. not giuing information to the Queenes Counsell.

A note in writing of the Information.

All othes, bonds, & submissions certified into the Chauncery.

13 All such othes, bonds, and submissions, as shall be made by force of this Act as aforesaid, shall be certified into the Chauncerie by such parties, befoze whom the same shall be made, within thzee Moneths after such submission, vpon paine to forf. for euery such offence a C. li. to the Queene, her heires and successors. 27. Cl. 2.

Restraint from the Court, by persons submitting.

14 If any person so submitting himselfe, as aforesaid, do at any time within the space of x. yeeres after such submission made, come within ten miles of such place, where her Maiestie shall be, without speciall licence from her Maiestie in that behalf to be obtained in writing vnder her hand: Then and from thenceforth, such person shall take no benefite of his said submission, but the same submission shall be void, as if the same had neuer bin. 27. Cl. 2.

Imprisonment for refusing to answer vpon examination.

15 If any person which shall be suspected to be a Iesuit, Seminarie, or Dissing Priest, being examined by any person, hauing lawfull authoritie in that behalfe, to examine such person which shall be so suspected, shall refuse to answer directly and truly whether he be a Iesuit, or a Seminarie, or a Dissing Priest as is aforesaid: Euery such person so refusing to answer, shall for his disobedience and contempt in that behalfe be committed to prison by such as shall examine him, as is aforesaid: and thereupon shall remaine and continue in prison without baile or mainprise, vntill he shall make direct and true answer to the said questions, whereupon

whereupon he shall be so examined. 35. Eliz. 2.

Incontinencie.

It is lawfull to all Archbishops, Bishops, and other Ordinaries having Episcopall iurisdiction, to punish & chastise such Priests, Clerks, &c. being within y^e bounds of their iurisdiction, as shall be convicted before them by examination, & other lawful prooffe (requisite by the law of the Church) of adulterie, fornication, incest, or any other fleshly inconttencie, by committing them to warde and prison, there to abide, for such time as shall be thought to their discretions conuenient, for the qualitie & quantitie of their trespasse. And none of the said Bishops or Ordinaries shall be therefore chargeable, of, to, or vpon any Action of false imprisonment. 1. H. 7. 4.

Incumbent.

When the Queene shall make collation or presentation to a benefice in an others right, the title whereupon she groundeth shall be well examined that it be true, and if at any time before iudgement given, the title (vpon good information) be not found true, or iust, the collation or presentment shall be repealed, and the Patron, or the possessor which sheweth and prooueth the title to be false, shall haue as many writs in the Chauncery, as he will. 25. Ed. 3. 3. And if the Queene do present to a benefice, which is full of any Incumbent, the Queenes presentee shall not be receiued to such benefice by the Ordinarie, vntill the Queene hath recovered her presentation by proces of Law, in her owne Court. And if any presentee of the Queenes be otherwise receiued, and the Incumbent put out without due proces, the said Incumbent so put forth may commence his suit, within one yeere after the induction or the Queenes presentation. 13. R. 2. 1. or at any time after the yeere at his pleasure. 4. H. 4. 21. S. Laps 3. Aduowson.

Indictments.

The words vi & armis, vz. Cum baculis, cultellis, arcibus, & sagittis, or such other like, shall not of necessitie be comprised in any inquisition, or indictment, nor the partie indicted of any offence, shall take any aduantage by writ of Error, plea, or otherwise, to auoid any such inquisition or indictment, for that the said words, or any of them, shall not be put in the said inquisition, or indictment, but the said inquisitions and indictments lacking the foresaid words, or any of them, shall be taken to all intents as good & effectual in law, as if the said words were in them. 37. H. 8. 8.

2 The Iustices assigned to heare and determine Felonies, may direct their writs throughe all the Counties of England, where neede shall be, to apprehend those which be appealed, indicted, or outlawed of felony in one Countie, and be dwelling, or receiued in an other Countie. 1. Ed. 3. 11.

3 Upon euery Indictment or appeale, by the which any of the Queens liege people dwelling in other Counties, then there where the Indictment

Spiritual persons punished for incontinencie.

The Queene presenting in anothers right

The Queene presentee to a benefice full of an Incumbent.

Words not necessarie in Indictments.

Proces against Indictes in an other countie.

Indictment of persons dwelling in foreign countries.

Indictments.

ment or appeal shall be taken of Treason, Felonie, and trespasse, before Justices of peace, or any other having power to take such indictments or appeales, or other Commissioners or Justices in any Countie, Franchise, or Libertie within England, before any Exigent awarded upon any indictment or appeal to be taken in forme aforesaid, immediately after the first writ of Capias upon every such indictment or appeal awarded & returned, an other writ of Capias shall be awarded, directed to the Shirife of the Countie wherof he which is indicted is, or was supposed to be conuerfant by the same indictment, returnable before the same Justices or Commissioners, before whom he is indicted or appealed at a certaine day, containing the space of iii. monethes from the date of the said last writ, by the which writ of second Capias, it shall be contained & commaunded to the same Shirife, to take the body of him which is so indicted or appealed, if he may be found within his bayliwicke: And if he cannot be found with in his bayliwicke, that the Shirife shall make Proclamation in two Counties before the returne of the same writ, that he which is so indicted or appealed, shall appeare before the same Justices or Commissioners in the Countie, Libertie, or Franchise, where he is so indicted or appealed, at the day contained in the said last writ of Capias, to answer to the Queene, or to the partie of the felonie, treason, or trespasse, whereof he is indicted or appealed, after which second writ of Capias so serued, and returned, if he which is so indicted or appealed doth not come at the day of the said writ of Capias returned, the Exigent shall be awarded against such indicted or appeales, and euery of them. And if any Exigent be awarded upon any such indictment or appeal against the foresaid forme, or any outlawrie thereupon pronounced, the said Exigent and the outlawrie thereupon pronounced, and euery of them shall be void. And the partie against whom such Exigent is awarded, or Outlawrie pronounced, against the foresaid forme, shall not be endamaged in his life, lands, or goods, &c. And euery one which is indicted or appealed in forme aforesaid, after he is acquitted by verdict in forme of law, may haue an Action upon the case, against euery Procuror of such indictments or appeales, in which action there shall be like proces, as in an action of Trespas vi & armis. And if the said Procurors be attainted, the plaintife shall recouer treble damages. But this Statute extendeth not to Indictments or Appeales taken in the Countie of Chester. Nor to any Indictment or Appeal of Felonie or Treason, taken of any of the Queenes liege people, which at the time of the same felonie or treason supposed, is, and was conuerfant within the Countie wherof the Indictment or Appeal maketh mention, but the like proces shall be made against such indicted or appealed person as hath bin vbled, 8. H. 6. 10. See Exigent 5. 6.

Action against
Procurors.

Indictment
or appeal in
the countie
of Chester.

Proces upon
an indictment
remoued into
the R. Bench.

4 And if any such Indictments taken before any Justices of peace, or any other having power to take such indictments or appeales, or other Justices

Iustices or Commissioners in any Countie, franchise, or libertie of Eng-
land, shall be remoued into the Kings Bench, or elsewhere, by Cerciorari,
or otherwise, then after such remouing, before any Exigent awarded vpon
any such indictment or appeal in forme aforesaid taken, immediatly after
the first writ of Capias, vpon euery such indictment or appeal awarded,
and returned, an other writ of Capias shall be awarded, directed to the
Shirife of the Countie whereof he that is so indicted or appealed, is, or
was supposed to be conuersant by the same indictment, or appeal, retur-
nable in the Kings Bench, at a certaine day, containing the space of three
monethes from the date of the said last writ of Capias, according to the
maner and forme that the Iustices of peace and other ought to haue done,
before such remouing. And if any Exigent be awarded vpon any such
indictment or appeal after such remouing against the forme aforesaid, or
any Duclawzie thereupon pronounced, as well the same Exigent as the
Duclawzie, and euery of them be void. 10. H. 6. 6.

5 If a man be indicted of Felonie before Iustices to heare and de- Proces vpon
an indictment
of Felonie.
termine in their Sessions, the Shirife shall be commaunded to attach his
body by writ or precept called a Capias. And if the Shirife returne there-
in that the body is not found, immediatly an other writ or precept of
Capias shall be awarded, returnable three weekes after, and therein it
shall be comprised that the Shirife shal seise all his cattels, & safely keepe
them untill the day of the writ or precept returned. And if the Shirife
returne that the bodie is not found, & the indietee commeth not, the Exi-
gent shal be awarded, and the cattels shall be forf. But if he come & peeld
himselfe, or be taken by the Shirife, or other Officer, before the returne
of the second Capias, the goods & cattels shall be saued. 25. Ed. 3. 14.

1 In what sort an Ordinarie shall be indicted of extortion, or oppres-
sion. See Ordinarie 2.

2 That no Indictor shall be put in Enquests, vpon the deliuerie of the
partie indicted. S. Iurors 3.

3 Where Iustices of peace may charge one Enquest to indict an o-
ther. S. Iurors 9. Iustices of peace 44.

4 For Indictments taken in the Countie of Lancaster, of any person
dwelling in an other Shire. S. Iurors 17.

5 For Indictments taken in an other Countie against any person
dwelling in the Countie of Lancaster. S. Iurors 18.

6 By what persons and by whom empanelled, all Indictments shall
be made. S. Iurors 7.

7 That Indictments taken before Shirifes in their Turnes, shal be deli-
uered to the Iustices of peace, of the same Shire. S. Shirifes 12.

8 That Indictors being sued in spirituall Courts, shall haue a Prohi-
bition. S. Prohibition 7.

9 That Iustices of peace may award proces against them which be
indicted

indicted in the Shirifes Turne. S. Shirifes 13.

10 For the order of taking Indictments in the Shirifes Turne. See Shirifes 12.

Inholders.

How an Inholder shall sell Hay, Dates, Litture.

Inholders or Hostlers, shall sell their Hay and Dates at a reasonable price, and shall take nothing for their Litture. 13. R. 2. 8. And if any Inholder doe take aboue a halfe penie more for a bushell of Dates, then the common price in the market, and that be duely proued, he shall forfeit the quadruple value of that which he hath taken ouer, and that aswell at the parties, as at the Queenes suit. 4. H. 4. 25.

Horsebread.

2 Euery Hostler or Inholder (except hereafter excepted) that maketh Horsebread in his house, or elsewhere, shall forfeit the treble value thereof. 13. R. 2. 8. 4. H. 4. 25. But euery Hostler or Inholder, dwelling in any towne or village being a thorough fare, or common passage within this Realme, & being no citie, towne corporat, or market towne (wherein any common Baker exercising the occupation of baking, which hath bin apprentice to the said occupation vii. yeeres, is dwelling) may make within his house horsebread, sufficient, lawfull, and of due assise, according to the price of graine: any thing mentioned in either of the foresaid Statutes, notwithstanding. 32. H. 8. 41. S. Iustices of peace 50.

Inrolments.

Inrolments of bargaines and sale of lands.

ND manors, lands, tenements, or other hereditaments shall passe, alter, or change, from one to an other, whereby any estate of inheritance or freehold shall be made or take effect in any person or persons, or any vse thereof to be made by reason onely of any bargain and sale thereof (except the same bargain and sale be made by writing indented, sealed and inrolled in one of the Queenes Courts of record at Westminster, or els within the same Countie or Counties where the same manors, lands, and tenements so bargained and sold lie, or be, befoze the Custos Rotulorum, and two Iustices of the peace, and the Clerke of the peace of the same Countie or Counties, or two of them at the least, wherof the Clerke of the peace to be one, & the same inrolment to be had and made within sixe monethes next after the date of the same writing indented. 27. H. 8. 16.)

The fees for inrolment in the Countie.

2 The same Custos Rotulorum, or Iustices of peace, and Clerk, shall take for the inrolment of euery such writing indented befoze them, where the land comprised in the same writing exceede not the peerely value of xl. shillings, ii. s., that is, xii. d. to the Iustices, and xii. d. to the Clerke, & for the inrolment &c. where the land comprised doth exceede the summe of xl. s. in peerely value, v. s., that is, ii. s. vi. d. to the Iustices, and ii. s. vi. d. to the Clerke for inrolling the same deede. And the Clerke of the peace of euery Countie, shall sufficiently inroll in parchment the same writings indented, and shall at the end of euery yeere deliuer the rolles therof to the Custos Rotulorum of the same countie, there to remaine, to the intent that euery

enerie partie that hath to do therewith, may resort to him and see the effect thereof. 27. H. 8. 16.

3 But this act doth not extend to anie lands, tenements or hereditaments lying within anie citie, borough, or towne corporate, wherein the Mayors, Recorders, or other officers haue authoritie, or haue lawfully used to inroll anie evidences, deedes, or other writings within their precincts and limits. 27. H. 8. 16. For recoveries, deedes inrolled, and releases taken and knowledged before them, be and remaine of like force to all intents, as any of them were before the making of the said act. 34. H. 8. 22. S. Women 5.

Corporate
townes using
to inroll.

4 From the feast of Easter next (being 11. Aprilis Ann. Do. 1563.) all inrolments of such writings indented (viz. as be before mentioned 27. H. 8. 16.) of anie bargain and sale after the said feast of Easter to be made of anie manors, lands, tenements, or other hereditaments, set, lying, or being in the Counties of Lancaster, Chester, and Bishopricke of Durham, being made and inrolled within sixe moneths next after the date of any such writings indented in the Queenes court of Chancerie at Lancaster, or before the Queenes Justice or Justices of assises at Lancaster aforesayd, concerning anie manors, lands, tenements, or hereditaments within the sayd countie of Lancaster, Or in the Queenes Court of the Eschequer at Chester, or before the Queenes Justice or Justices of Assises at Chester aforesayd concerning anie manors, lands, tenements, or hereditaments within the sayde Countie of Chester. Or in the court of Chancerie at Duresme, or before the Justice or Justices of Assises at Duresme aforesayd, concerning anie manors, lands, tenements, or hereditaments, within the sayd Countie of the Bishopricke of Duresme, shalbe accepted, deemed, reputed and taken to be as good and auailable in lawe to all intents, as if the same writings indented had beene made and inrolled in anie of the Queenes Courts at Westminster, anie thing in the said former act &c. notwithstanding. 5. Eliz. 26.

Inrolments
in Lancaster,
Chester, Dur-
ham.

5 Provided alwaies that this act shall not extend to anie Manors, lands &c. lying within anie citie, borough or towne corporate within any of the said Counties wherein the Mayors, Recorders, Bailifes, or other officer or officers haue authoritie and haue lawfully used to inroll anie Evidences, Deedes, or other writings within their Precinct or Limits, anie thing &c. notwithstanding. 5. Eliz. 26.

Corporate
townes.

1 In what case it is necessarie, that a safe condite should be inrolled. See Safecondite 1.

2 That such things which concerne fines and recoveries may be inrolled. S. Fines, 19. 29. &c.

3 For the office of inrolments, and fees of inrolments of fines and recoveries. S. Fines, 24. 34.

4 That

Joindenancie.

14 That Writs of Redisseison & Secunda Superoneracione pasture shall be inrolled. S. Admesurement. 2.

Joindenancie.

Joindenancie
pleaded in
assise.

If the tenant in Assise of Nouel disseison alledgeth against the plaintife that he holdeth the tenements demaunded iointlie enfeoffed with his wife, or with some stranger not named in the writte, and sheweth a deede that testifieth the same, and praieth iudgement of the writ, if the plaintif offer to verifie by the assise, that the tenant at the daie of the purchasing of the writte was sole tenant, and that neither his wife nor anie other had anie thing in the tenements in demaund, then the Iustices shall retaine the said deede in their keeping as that which is in effect denied. And they shall warne by writ the partie which is absent, that he appeare at a certaine daie, together with the other tenant, to answer to the plaintife as well of the exception as of the tenements demaunded, and put in view if he shal think good. At which daie if both they which were named tenants appeare, and auow the feoffement, they shall answer and maintaine the exception alledged by one of them, and likewise pleade further to the Assise as though the writ had been purchased iointly against them. And if it be found by the assise that the said exception was maliciously alledged to delaie the right of the plaintife for that they were not iointly enfeoffed at the day of the purchasing of the writ, then though the assise passe for the tenants against the plaintife, yet they shalbe one yeere imprisoned, for alledging such exception, from whence they shall not be deliuered without a grievous fine. But the Iustices shall not admit anie such exception by the Bailifes of anie tenants. And if he which alledgeth that exception, absent himselfe at the daie, and the other which is said iointfeoffee appeareth and disauoweth the deede, yet the assise shalbe taken against the tenant that is absent by his default, and if it be found by the assise that they were not iointfeoffes, at the day of the purchasing of the writte, and likewise that the tenant against whom the writ was purchased, or anie other named in the writ did disseise the plaintife, then hauing consideration to the exception falsly and maliciously alledged to the hurt of the partie and to the disseison by them done, the plaintife shall recouer his seison and his double damages, and he that alledged the exception shalbe punished in forme aforesaid; And if neither of the tenants come at the day, then the assise shalbe taken against them by their default. And if it be found by the assise that the exception be true and lawfully alledged that they which did alledge the same were iointly enfeoffed before the plaintife purchased his writ against them, the plaintifes writ shall be quashed whether both or one onely come. 24. Ed. 1.

Joindenancie
in Moridaunce-
ster, or Iuris vtru.

2 In the same maner, if in assise of Moridauncester or Iuris vtru, at the first day that the party appeare in court, the tenant alledgeth the foresaid exception against the plaintife, and thereof sheweth forth a deede.

and

and the plaintife offereth to verifie by assise or Iurie that the tenant at the day of purchasing of his writ was sole tenant, then the same processe and order of proceeding shalbe obserued as befoze is said in assise of Nouel disseison, and the offenders in like sort punished. 34. Ed. 1.

3 In other writs whereby lands be demanded, if at the first day of the parties apparance in court, the tenant alledgeth the foresaid exception of ioint feoffment, and the demandant offereth to verifie his writ by a Iurie of the countrey, that the tenant at the day of the purchasing of the writ was sole tenant, then the same proces and maner of proceeding shalbe obserued between the parties, until the Iurie haue passed between them, and if it be found by the Iurie, that the exception was truly alledged, the writ shalbe abated. But if it be found that the exception was falllie and malicioussie alledged to the hurt of the partie, then the demandant shall recouer seison of the lands demanded, and the tenant shalbe imprisoned as is aforesaid, and answere damages after the discretion of the Iustices. 34. Ed. 1. Stat. de coniunctim feoffat.

Jointenancie
pleaded in anle
Præcipe.

1 Where, and by what meanes Iointenants are compellable to make partition. S. Partition. 2. 3. 4.

Iron.

NO person shal conuert or imploy, or cause to be conuerted or imployed to coale or other fuel for the making of Iron, any timber tree of Oak, Beech, or Aſhe, or of anie part thereof, of the breadth of one foote square at the stubbe, and growing within xiiii. miles of the sea or of anie part of the riuers of Thames, Seuerne, Aſie, Humber, Dee, Tine, Tees, Trent, or anie other riuer, creeke, or streame, by the which cariage is commonlie vsed by boate or other vessel to anie part of the sea, vpon paine of xij. s. for euery such tree, or any part thereof so imployed, &c. xl. s. to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. or J. &c. 1. Eli. 15.

Wood not to be
imployed to the
making of
Iron.

2 But this act shall not extend to the countie of Suffex, nor to the wilde of Kent, nor to any the parishes of Charlewood, Newdigate, and Ligh in the countie of Surrey. 1. Eli. 15.

3 No person or persons shall conuert, or imploy, or cause to be conuerted or imployed to coale, or other fuel, for the making of Iron, or of Iron mettall, in any Iron milles, furnesse, or hammer, anie maner of wood, or vnderwood now growing, or which hereafter shall growe within the compasse of xxii. miles, from & about the citie of London, or the suburbs of the same, or within xxii. miles of the riuer of Thames, from Dozchester in the countie of Dorset downe towards the said riuer of Thames, nor within iiii. miles of the foote of the hils called the Downes, betwixt Arundell and Pemsey in the Countie of Suffex; nor within iiii. miles of anie of the towns of Winchelsey & Aſie, nor within ii. miles of the town of Pemsey, nor within ii. miles of the towne of Hastings in the said Countie, vpon paine to forfeit for euery load of wood so to be imployed, or conuerted into coale

Wood conuer-
ted into coale
for the making
of Iron.

coale or other fuel for the making of Iron, or Iron mettall, in any Iron mill, furnace, or hammer, as aforesaid, xl. s. to the D. and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 23. Eliz. 5.

The wields of
Suffex, Sur-
rey and Kent.

4 This act shall not extend to any woods growing or to grow in any such parts of the wields of Surrey, Suffex or Kent, within the said xii. miles of the said citie of London and the Riuer of Thames, as is distant aboue xviii. miles from the citie of London, and viii. miles from the said Riuer of Thames, 23. Eliz. 5.

New Iron
workes.

5 No new Iron workes shall be erected within xii. miles of the said citie of Londā, nor within xiiii. miles of the foresaid riuer of Thames, nor within iiii. miles of the downes aforesaid, or of the said Townes of Pemsey, Winchelsey, Hastings or Rie, vpon paine of C. li. likewise to be recovered and employed as is aforesaid, 23. Eliz. 5.

Christopher
Darrell.

6 This act, nor anie thing therein contained, shall extend to any woods or vnderwoods, now standing or growing, or which hereafter shall stand or grow in or vpon any lands of Christopher Darrell Gent. in the parish of Newdigate, within the wield of the countie of Surrey, which woods of the said Christopher haue heretofore bin, and be by him preserved and coppised for the vse of his Iron workes in those parties. 23. Eliz. 5.

No new iron
mill shall be set
vp in Suffex,
Surrey, Kent.

7 No person or persons, shall make, erect, build, or new set vp, at or in anie place within the counties of Suffex, Surrey, or Kent, or anie of them, anie maner of Iron mils, furnace, finarie, or blomary, for the making or working of any maner of Iron, or Iron mettall, other then either vpon such old & former Baies or Pennes, wherupon hath lately bin, or at the time of the new erectiō shall be then standing, some Iron mils, fornae or hammer, or els in & vpon such lands, as the party or parties, so erecting any such intended new work, shall continually furnish the same with sufficient supplie of his or their owne woods, standing or growing in & vpon his or their owne proper soile or land, being to him or them in fee simple, fee taile, or for terme of life, or liues without impeachment of wast at the least, and not otherwise. Nor shall conuert or employ, or cause to be conuerted or employed to coales or other fuel, for the making or working of Iron or Iron mettall, in or about any Iron mils, furnaces, hammers, fynarie, forge, or blomarie, the bodie or bodies of anie sound timber trees or trees apt for the making of good & sufficiēt cleft wares, or sawing timber of Oke, Ash, or Elm, growing of the breadth or bignes of one foot square at the stub, or anie part of the same bodie or bodies of any such tree or trees, vpon paine of forfeiture for euerie Iron mil, furnace, forge, finarie, or blomarie, made, erected, builded or set vp contrarie to the tenor & true meaning of this act, thzee hundred pound. And for euerie bodie of euerie such timber tree, so imploied or conuerted to cole or other fuel for the making or working of Iron, as is aforesaid xl. s. to the D. and J. to be recovered by A. B. P. or J. wherein no W. C. P. &c. 27. Eliz. 19.

Good timber
shall not be
consumed for
the making
of Iron.

8 It shall and may be lawfull to and for the owners of such trees, the bodies whereof haue been, or shalbe from time to time conuerted and employed to, or for any maner of Timber or Cleftware, within the wilds of Sussex, Surrey, or Kent, or any of them (the same not being within xviii. miles of the citie of London, or viii. miles of the Riuer of Thames, or iiii. miles of the townes of Rie and Winchelsey, or within iii. miles of Hastings, or within foure miles of the foote of the hilles called the Downes betweene Arundel and Pemsey in the countie of Sussex aforesaid or anie of them) to employ the toppes and offals of all such trees, to or for coles or other fuell, seruing to or for iron works, at their own will & pleasures, this statute, or anie other &c. notwithstanding. 27. Eliz. 19.

Toppes and offals of trees employed to Iron works.

1 That none shall make Bilbow Iron like the fashion of gaddes of Steele. S. Steele.

Jurors, Iuries, and Enquests.

If anie Sherife or Bailife do put into anie Jury (others then such as be next neighbors, most sufficient, and least suspitious,) and is thereof attainted, he shall pay vnto the plaintife his double damages, and be amerced vnto the D. 28. Ed. 1. 9. 34. Ed. 3. 4. 42. Ed. 3. 11.

What sort of people shall be returned vpon enerie Iurie.

2 Olde men aboue lxx. yeeres of age, being continually sicke, or diseased at the time of the summons, or not dwelling in the countrey, shall not be put in Iuries, or petit assises, and there shall be no moe summoned in one assise then 24. West. 2. 13. Ed. 1. 37.

Olde men decrepit.

But xxviii. summoned.

3 No indictor shalbe put in enquests vpon deliuerance of the inditees of felonie or trespassse, if he be challenged for the same cause, by him which is indicted. 25. Ed. 3. 3. S. Challenge 6.

No indictor shalbe put vpon the deliury of the partie indicted.

No officer of the focest shall be sworne in Enquests.

4 No Foster, Clerdore, Regardor, Agistor, or other officer of the focest, shalbe put in anie assises, Iuries, or Enquests to be taken out of the same focest. 34. Ed. 1.

Juroz taking reward to giue his verdict.

5 If anie Juroz sworne in Assises, or other Enquests to be taken betweene the D. and the partie, or betweene partie and partie, doe by himselfe or any other, take anie thing of the plaintife or defendant to giue his verdict, and thereof is attainted at the suite of the partie, which will sue or himselfe or for the Queene, or of anie other person (entring his plaint by bill, immediatly befoze h. Justices, befoze whom the Jury was sworne) he said Juroz shall paie ten times so much as he hath receiued. And all those which be Ambraceors to lead & procure such Enquests in the countrey to make a gaine & profite thereof, shall be punished as the Juroz, and the Juroz or Ambraceor so attainted haue not wherewith to make recompence in forme aforesaid, he shall be one yeere imprisoned, which imprisonment shall not be pardoned for anie fine, and the partie grieved may sue his action befoze other Justices, if he will. But no Justice or other officer shall enquire of office, vpon anie of the points of this statute, but

Decies tantum

Ambraceors.

onely

Jurors, Juries, and Enquests.

onely at the suit of the partie, or of others as aforesaid. 34. Ed. 3. 8. 38. Ed. 3. 12. S. Attaint 17.

Ambidexter.

6 If anie Juror in Assises, Juries, or Enquests, take of the one partle, and of the other, and be thereof duely attainted, he shall not after be put in any assises, juries, or enquests, but shall be sent to prison, and further punished at the Queenes pleasure. And the Iustices befoze whom such assises, Juries, and Enquests shall passe, haue power to enquire and determine, according to this statute. 5. Ed. 3. 10.

Jurors in indictments shall be returned by the Sherife without the denomination of others.

7 No indictment shall be made by anie persons which be outlawed befoze Iustices of Record, or which haue fled to Sanctuarie for treason, or felonie, there to haue refuge, but by Enquest of the Queens liege lawfull people, returned by the Sherifs or bailifes of franchises without anie denomination to the Sherifs or bailifes of franchises befoze made, of anie person of the names which by him shalbe returned (except it be by the officers of the said Sherifs or bailifs of franchises knownen & swozne to make the same, and other ministers to whom it appertaineth by the lawes to make the same.) And if anie indictment be made in anie point to the contrarie, the same shall be void and reuoked. 11. H. 4. 9. See the force of this stat. for the denomination in some respects altered by the statute next following.

Panels reformed by the Iustices.

8 But all panels returned, which be not at the suite of anie partie, that shall be made, and put in, by euery Sherif and their ministers, befoze anie Iustice of Gaole deliuerie, or Iustices of peace (whereof one to be of the Quorum) in their open sessions, to enquire for the Queene, shalbe reformed by putting to, and taking out of the names of the persons that be so impaneled, by euerie Sherife & their ministers, by the discretion of the same Iustices, befoze whom such persons shalbe returned. And the same Iustice and Iustices shall commaund euerie Sherife, and their ministers in their absence, to put other persons in the same panell by their discretions. And the same panels so reformed by the said Iustices, to be good and lawfull. And if anie Sherife, or other Ministers, at anie time doe not returne the same panel so reformed, then euerie such Sherife or minister so offending, for euerie such offence shall forf. xx. l. to the Q. and J. to be recovered by A. B. &c. wherein no W. C. P. &c. And the Queenes pardon shalbe no barre against the partie in the same, that shall sue anie such action. 3. H. 8. 12.

Enquest to enquire of concealment of other enquests.

9 The Iustices of peace in euery Shire of this realme, may take by their discretions an enquest, (whereof euery man shall haue lands & tenements to the peerely value of xl. s. at the least) to enquire of the concealment of other enquests taken befoze them & befoze other, of such matters and offences as are to be enquired & presented befoze Iustices of Peace, whereof complaint shalbe made by bill or bills, as well within franchise as without. And if anie such concealment be found of anie enquest had or made

made within the yeere after the same concealement, euerie person of the same Enquest shalbe amerced for the same concealements, by the discretion of the same Iustices of peace, the said amerciaments to be assessed in plene sessions. 3.H.7.1. S.Leeres 6.11.

10 No Sherife, vnderherife, or bailife of libertie, shall put in anie recognisance of assises, iuries, enquests, or attainits that shall passe out of their proper countie any person of their bayliwikes, (except he hath lands & tenements to the yeerely value of an C. s. at the least) or that shall passe within the Countie (except he hath lands to the value of xl. s. yeerely. 21. Ed. 1.) Neither shal any of them, or other Baylife retorne vpon any writ or precept to them directed, to retorne anie Enquests in any panel thereupon to be made, any bailifes, officers, or seruants of anie Sherife, vnderherife, sherifes Clerke, Coroner, Steward of franchise, baylife, or warrent of prisons, in anie panel by them so to be made. 23.H.6.10.

Sufficiencie
of freehold.

Sherife, coroners
or gaolers
seruants.

11 No person shall be admitted to passe in anie Enquest vpon triall of the death of a man, or in anie enquest betwixt partie & partie in plea real, or in plea personall, whereof the debt and damages declared, doe amount to xl. markes, if the same person hath not lands, and tenements of the yeerely value of xl. s. aboue al charges, so that he be chalenged for that cause by the partie &c. 2.H.5.3. But this statute doth extend onely to enquests to be taken or made betwixt denizen & denizen, and not to enquests or proofes to be taken or made betwixt aliens & denizens, according to the Stat. of 28. Ed. 3. 13. for that purpose ordeined. 8.H.6.29.

Enquest touching the life
of man, plea
real, or forty
markes damages.

12 Upon complaint made to one, or more Iustices of peace, of entrie or detaining of lands with force, the said Iustice shall make his precept to the Sherife of the same Countie, commaunding him in the Queenes behalfe, to cause appeare before him, sufficient and indifferent persons, dwelling neere vnto y^e place where such force is, to enquire thereof, whereof euery one hath lands or tenements to the cleere yeerely value of xl. s. vpon euerie of which Iurie the Sherife shall retorne issues vpon the first precept xx. s. vpon the second xl. s. vpon the third an C. s. and at euery day after, double. And if the Sherife, or anie bailife, hauing retorne of writs, he slacke and doe not duely execute the said precepts, he shall forfeit for euerie default xx. l. to the Q. and also paie to her a fine, 8.H.6.9. S. Force. Justice of peace 89.

Jurors to enquire of forcible
entrie.

13 If a Sherife or other person, which ought to retorne writs or precepts, do retorne before anie Escheto^r or Commissioner, any persons to enquire of lands or tenements, except euery of the same Iurie so returned, or other to his vse, haue lands or tenements of the yeerely value xxl. s. aboue all charges within the same Shire where the Enquirie shall be made, he shall forfeit for euerie person so returned, xl. s. (except the same Jurors be returned before an Escheto^r in a Cite or Corporate Towne, or which is made by anie person hauing priuiledge to make

Jurors returned before
Escheto^rs or Commissioners.

Jurors, Iuries, and Enquests.

make Eschetors.) 1. H. 8. 8. 3. H. 8. 2. S. Eschetor. Office. Inquisition.

Jurors in the
Sherifes turne.

14 If anie Baylife, or other officer in any countie of this Realme, doe returne or impanell in anie panell to be taken or put in, or vpon anie inquisition or inquirie, befoze the Shirife in his turne, other then such as he of good name & fame, and which haue lands or tenements of freehold within the same Counties, to the peereley value of xx. s. at the least, or else Cophhold lands and tenements holden by Custome of the manour within the said Countie to the peereley value of xxvi. s. viii. d. aboue all charges at the least, he shall forf. for euerie person so impanelled, or returned, not being of the sufficiencie aforesaid xl. s. and the Sherife other xl. s. to the D. and J. &c. to be recovered by A. of debt, wherein no E. P. &c. And euerie indictment, taken befoze the Sherife in his turne, in anie other maner, is void. 1. R. 3. 4.

Triall of felo-
nies in corpo-
rat townes.

15 Euerie person being the Queenes naturall subiect borne, which either by name of a Citizen, or a Freeman, or any other name, doth enioy the liberties of anie Citie, Borough, or Towne corporat, where he dwelleth, being worth in moouable goods to the cleare value of xl. l. shall be admitted in triall of murders and felonies in euerie sessions and gaoles of deliueries kept in & for the libertie of such Cities, Boroughs, or Townes corporat, albeit he hath no freehold. But this Acte extendeth not to anie Knight or Esquire, dwelling, abiding, or resorting in, or to anie such Citie &c. 23. H. 8. 13.

Jurors im-
panelled in
the Courts
in London.

16 No person shalbe impanelled, summoned or swozne in anie Iurie or Enquest in courts within the cite of London, except he be of lands, tenements, goods or cattels to the value of xl. markes. And no person shalbe impanelled, summoned nor swozne in Iuries or inquests in anie court within the said cite for lands or tenements, or action personall, wherein the debt or damages amounteth to the summe of xl. markes, or aboue, except he be in lands, tenements, goods or cattels, to the value of C. markes. And the same matter & cause alledged by any of the said parties by way of chalenge, and so found, shalbe admitted & taken in euery of the said courts as a principall chalenge. And euery such person impanelled or summonet to appeare in any Iurie or enquest, befoze any of the Judges of the same Citie, making default at the first summons, shal loose and forf. in issues xii. d. and at the second default ii. s. and so at euery default after that, the issues and penalties shalbe doubled. And all such issues lost in the Maior court, shalbe forf. leuied and perceiued to the vse of the Maior & Cominaltie of the said Citie. And all such issues lost in the Sherifes court or courts, shalbe forf. leuied & perceiued to the vse of the Sherifes of the same Citie for the time being toward their fee farme. 11. H. 7. 21. And so all such issues in forme aforesaid to be lost or forf. in y^e Maiors court it shalbe lawfull to the said Maior & to his successors to distreine, and the same distresse to retaine, vntil he or they be satisfied of the said issues. An

Issues retur-
ned.

in like maner it shal be lawfull to the said Shirifes and their successozs to distreine for such issues lost in their Courts, and the same to retaine vntill they be satisfied of the said issues. 4. H. 8. 3. And the Shirifes of London haue authoritie to returne in panels of all actions and suits depending in the Kings Bench & Common place, or Eschequer, and triable at S. Mar- reins the graund in London by Nisi prius, persons being Citizens, hauing goods to the value of C. marks, or aboue, to trie the issues ioyned in euery such action or suit. And the persons so returned shal be swozne and do in all such Iuries likewise in euery thing, as other persons shal doe hauing lands, &c. to the peerely value of xl. s. ouer all charges. The Shirifes of the said Citie shal returne vpon the first distress xx. d. in euery such action, or suit, vpon euery of the Iurozs impanelled to trie the issues ioined of all things triable in London by proces of Nisi prius out of the said Courts, vpon the second distresse iii. s. iiii. d. and vpon euery distresse after that, the double value, vntill a full Iurie in euery such action or suit shal appeare, and be swozne to trie the issues ioined in the same. And if the Shirifes make any returne vpon such distresse, contrarie to the forme aforesaid, they shal forfeit x. li. to the Queene and Informer, wherein no Wager, P. &c. 4. H. 8. 3. 5. H. 8. 5. See Challenge 3.

Panels in London of suit depending in the Queenes Courtes at Westminster.

Issues retur- ned.

17 Euery Indictment to be taken befoze any of the Queenes Justices in the Countie Palantine of Lancaster, or befoze any Shirife in his Turne, in the said Countie, whereby any person or persons be supposed by the same indictment to be, or to haue bin inhabiting or conuersant out of the said Countie, & within any other Countie within England, shal be taken by verdict of xii. men, whereof euery of them, or some other to their ple, shal haue lands and tenements to the peerely value of an C. s. And no proces shal be made out of such indictment, befoze it be duely examined befoze the Justices, within the said Countie, whether the said Indictors, and euery of them, at the time of such indictment taken, had lands & tenements within the said Countie of Lancaster to the peerely value of a C. s. aboue all charges. And if it be found that euery of the said Indictors at the time of the said indictment taken, had not lands &c. to the said peerely value of an C. s. then the indictment, as to such persons so indicted, supposed by the said indictment to be inhabiting or conuersant out of the said Countie of Lancaster, shal be void. 3 3. H. 6. 2.

Indictment in the countie of Lancaster, of a forein dwelling in an other Shire.

18 And in like sort euery such indictment taken in any other Countie, of any person inhabiting within the Countie of Lancaster, shal be taken by the verdict of twelue men, euery of them hauing lands to the peerely value of a C. s. in that other Countie, or els the indictment shal be void. 3 3. H. 6. 2.

Venire facias where each Iuroz must dispend xl. s. of freehold.

19 In all cases where any Iuroz to be returned for the triall of any issue or issues ioyned in any of the Queenes Courts of the Kings Bench, Common pleas, & the Eschequer, or befoze Justices of assise by the lawes

Venire facias where each Iuroz may dispend iii. li. of freehold.

Jurors, Juries, and Enquests.

of this Realme now in force, ought to haue state of freehold in lands, tenements, or hereditaments, of the cleere peerely value of xl. s. in euery such case, the Jurors that shall be returned, shall euery of them haue estate of freehold in lands, tenements, or hereditaments, to the cleere peerely value of fower pounds at the least. And the writs of Venire facias which shall be awarded and directed for the impanelling of Juries in the cases aforesaid, shall be in this forme. Regina &c. Præcipimus &c. quod venire facias coram &c. duodecim liberos & legales homines de Viceneto de B. quorum quilibet habeat quatuor libras terre, tenementorum, vel reddituum per annum ad minus, per quos rei veritas melius sciri poterit, Et qui nec &c. and so forth the residue of the said writ after the auncient forme. And vpon euery such writ and writs of Venire facias, the Shirife or other ministers to whom the making of the panell shall appertaine, shall not returne in any such panell, any person, vnesse he may dispend iiii. li. by the yeere at the least of freehold out of auncient demesne, within the Countie where the issue is to be tried, vpon paine to forf. for euery person being returned in any such panell, that cannot dispend iiii. li. freehold as is aforesaid xx. s. 35. H. 8. 6. 2. Ed. 6. 32. 27. El. 6. And in euery writ of Venire facias, wherein the said clause (quorum quilibet &c. shall be omitted) the Shirife or other minister to whom the making of the panell shall appertaine, shall not returne in any such panell any person, vnesse he may dispend some lands, or tenements, of estate of freehold, out of auncient demesne, within the Countie where the issue is to be tried. And also shall returne in euery such panell (viz. both where the said clause quorum quilibet shall be inserted, or omitted) sixe sufficient hundreders at the least, vpon paine to forf. for euery person returned in any such panell, that cannot dispend some land by the yeere xx. s. and for euery hundreder omitted xx. s. 35. H. 8. 6. 2. Ed. 6. 32. At, or vpon the triall of any issue ioyned in any personall action, no further challenge for the hundred shall be admitted, if two sufficient hundreders do appeare, at and vpon the triall of such issue. Provided neuertheless, that all other challenges, principall or for other cause, shall be admitted, allowed, and tried, in such order & forme, as if this Act had neuer bin made. 27. El. 6. 35. H. 8. 6.

Venire facias
where each
Juror neede
not dispend
xiiij. pound.

Hundreders.

Two hundre-
ders suffice in
a personall ac-
tion.

That issues
shall be retur-
ned vpon Ju-
ries.

20 Upon euery first writ of Habeas corpora, or Distringas, with a Nisi prius, deliuered of record, the Shirife or other minister or ministers to whom the making of the returne shall appertaine, shall returne in issues vpon euery person impanelled & returned vpon any such writ at the least x. s. And at the second writ of Habeas corpora, or Distringas, with a Nisi prius vpon euery person impanelled and returned vpon any such writ, xx. s. at the least. And at the third writ of Habeas corpora, or Distringas, with a Nisi prius, that shall be further awarded vpon euery person impanelled and returned vpon such writ xxx. s. And vpon euery writ that shall be further awarded to trie any such issues, to double the issues last aforespecified,

specified, untill a full Iurie be swozne, or the proces otherwise ceased or determined, vpon paine to forf. for euery retorne of issues contrarie to the forme aforesaid v. Pi. to the D. & J. to be recovered in any Court of record by A. B. P. J. &c. wherein no W. C. P. &c. Provided that this Act shall not extend to any Iuries or issues to be returned in any Citie or Towne corporat, or other towne or place priuiledged to hold plea, or in the xii. Shires of Wales, but that they shal & may be returned as heretofore they lawfully might haue bin, this act &c. notwithstanding. 27. El. 6. 35. H. 8. 6.

21 If any Shirife, Undershirife, Bailife, or other minister do retorne any person or persons to be summoncd to appeare in any Iurie wher in he shall for default of his appearance lose or forf. any issues, where in truth such person shall not be lawfully summoned: Then the same Shirife, Undershirife, Bailife, or other minister by whose default such person shall be returned, summoned, as aforesaid, shall forf. lose, & pay vnto the said person & persons so returned, double the value of the issues by such Iuroz or Iuroz lost or forf. for his default of apparance. 27. El. 6. 35. H. 8. 6.

Iuries retorne
ned vpon a
Jurour not
summoned.

22 If any Shirife, Undershirife, Shirifes deputies, Shirife, or Undershirifes clerke, or any Bailife of franchise, shall receiue, take, or haue by himselfe, or by any other, any summe of money, reward, or other profit directly or indirectly, or do take any promise, make any agreement or assent to haue any summe of money, reward, or other profit directly or indirectly, of any person or persons, for the sparing, not warning, or not returning of any person to be swozne as a Iuroz, for the triall of any issue loyned, or to be loyned in any of the Queenes Courts aforesaid, (vz. the Kings Bench, common Pleas, and Eschequer) or before any Iustices: Then euery Shirife, Undershirife, Bailife, &c. so offending, shall forf. for euery such offence v. Pi. to the D. and J. to be recovered in any Court of record, by A. B. P. J. &c. wherein no W. C. P. &c. 27. El. 6.

Receiuing re-
ward for not
returning any
Iuroz.

23 In euery writ of Habeas corpora, or Distringas, with a Nisi prius, where a full Iurie shall not appeare before the Iustices of Assises, or Nisi prius, or els after apparance of a full Iurie, by the challenge of any of the parties, the Iurie is like to remaine vntaken for default of Iuroz: then the same Iustices, vpon request made by the partie plaintife or demaundant, shall haue authoritie to commaund the Shirife or other minister or ministers, to whom the making of the said retorne shal appertain, to name & appoint, as often as need shal require, so many of such other able persons of the said Countie then present at the said Assises, or Nisi prius, as shall make vp a full Iurie, which persons so to be named & impanelled by such Shirife, or other minister or ministers, shal be added to the former panell, their names annexed to the same. And euery of the parties shall & may aue his or their challenge to the Iuroz so named, added, & annexed to the said former panel by the said Shirif, or other minister or ministers, in such wise as if they had bin impanelled vpon the Venire facias, awarded to trie

Tales at the
plaintifes re-
quest.

Iurors, Iuries, and Enquests.

the said issue. And the said Iustices shall and may proceed to the triall of euery such issue with those persons that were before impanelled and returned, and with those newly added and annexed to the said former panell by vertue of this act, in such wise as they might or ought to haue done, if all the said Iuroz had bin returned vpon the writ of Venire facias, awarded to trie the said issue. And all and euery such triall had, shall be as good and effectuell in the law, to all intents & purposes, as if such triall had bin had and tried by xii. of the Iuroz impanelled and returned vpon the writ of Venire facias, awarded to trie such issue. And in case such persons as the said Shirife, minister or ministers shall name & appoint, as is aforesaid, or any of them, after they shall be called, be present and doe not appeare, or after his or their apparance, doe willfully withdraue him or themselves from the presence of the Court: Then such Iustices shal and may set such fine vpon euery such Iuroz, making default, or willfully withdrauing himselfe as is aforesaid, as they shall think good by their discretion, the said fine to be leuied in such maner and forme, as issues forfeited & lost by Iuroz for default of their apparance at the common Law, haue bin accustomed to be leuied. And where any Iurie, that shall be returned by the Shirife, or other minister or ministers, shall be made full by the commandement of the said Iustices by vertue of this Act, yet neuerthelesse such persons as were returned in the said panell by the Shirife, or other minister or ministers to trie any such issue that shal not appeare, but make default, shall lose the issues vpon them returned, in such wise as though the same Iurie had remained for default of Iuroz. 35.H.8.6. 2.Ed.6. 32. A like Statute was made An 5. Eliz. 25. That if a full Iurie should not appeare before the Iustices of the great Sessions in any of the xii. Shires in Wales, or in the Counties Palantine of Chester, Durham, or Lancaster, or after apparance by challenge of any of the Iuroz, the Iurie were like to remaine vntaken for default of Iuroz: That then the said Iustices, or their deputies, vpon request of the plaintife or demandant might commaund the Shirife or other ministers to appoint so many others of the said Counties then present, as should make vp a full Iurie. Et sic de ceteris verbatim vt supra.

Tales in a suit
vpon a penall
Statute.

24 The Iustices of Assise and Nisi prius, before whom any trial shall be made, by vertue of any writ of Habeas corpora, or Distringas, with a Nisi prius, where a full Iurie shall not appeare, or after apparance of a full Iurie, by challenge the Iurie is like to remaine vntaken, for default of Iuroz, shall haue authoritie vpon request made for the D. her heires or successors, by any authorized thereunto, or assigned by the Iustices of the Court before whom the said Enquest shall be taken, or vpon request to be made by the party that followeth, aswel for the D. her heires & successors, as for himselfe, vpon any penall Statut, or his, or their Attozney, to commaund the Shirife, or other minister or ministers, to whom the making
of the

of the ſaid returne ſhall appertaine, to name and appoint, as often as need ſhall require, ſo many of ſuch other able perſons of the ſaid Countie then preſent at the ſaid Aſſiſes, or Niſi prius, and to adde & annexe the names to the former panell, as ſhall make by a full Iurie of xii. men for the triall of every ſuch iſſue. And all & every clause, ſentence, article, and prouiſo comprized in the ſaid former Act of 35. H. 8. ſhall be taken, interpreted, & expounded, to giue the like & the ſame aduantage to the Queene, her heires and ſucceſſors, and all ſuch perſon and perſons as ſhall purſue any action, bill, plaint, or information for the Q. her heires and ſucceſſors, onely, or for her & the parties, as the partie plaintife in any other action ſhould or might haue by vertue of the ſaid Act, in ſuch forme and condition, to all intents and purpoſes, as if ſuch actions or ſuites had bin particularly declared in the ſaid Act. 4. & 5. H. and H. 7.

25 In all caſes where the partie plaintife or demaundant by any ſtatute heretofore made, may haue vpon his requeſt, made vnto the Juſtices of Niſi prius, within England, or to the Juſtices of Oyer, or of Aſſiſes of the xii. Shires of Wales, & of the counties Palantine of Lancaſter, Cheſter, & Durham, a Tales de circumſtantibus, in every ſuch caſe, the parties tenants, actors, auowants, and defendants (if the plaintifes or demaundants ſhall vpon the calling of the principall panell or Iurie, forbeare or reſuſe to pray the ſame) ſhall & may vpon their requeſt haue vpon the ſame record, and by the ſame Juſtices, the Tales, or Taleſſes de circumſtantibus, vnto them graunted, in like maner, forme, and degree, to all reſpects, as the plaintife or demaundant in any ſuit or action may haue the ſame, by any ſtatute or ordinance heretofore made or ſet forth. 14. El. 9.

Tales de circumſtantibus for the def.

26 And likewise the defendant ſhall be admitted to pray & haue a Tales de circumſtantibus in all popular actions, informations, bills, or ſuits commenced or had in any of the Queenes Courts of record, vpon any penall lawes or ſtatutes, wherein any perſon ſhall ſue, proſecute, or inform, as well for the Queene, her heires and ſucceſſors, as for himſelfe, whereupon iſſue ſhall be ioyned, to be tried by the Countrey. 14. El. 9.

Tales for the def. in popular actions.

27 If the graund Iurie in Attaint appeare not vpon the firſt diſtreſſe had againſt them, ſo that the Iurie for their default do remaine, he that maketh default ſhall forſ. to the Q. vpon the firſt diſtreſſe xx. ſ., vpon the ſecond diſtreſſe xl. ſ., & after making default, for every default v. li. and the like forſ. ſhall they make which be named in the Tales. 23. H. 8. 3. 13. El. 25. And if any of the Iuroz of the graund Iurie impanelled & ſummoned in the Courts within the Citie of London, at the ſummons make default, ſo that the Attaint remaineth to be taken for default of Iuroz, then every of the ſame Iuroz ſo making default, ſhall forſ. for the firſt default l. ſ., & at the ſecond default v. li. and at every default after that x. li. and the like proces ſhal be made & ſued there againſt the graund Iurie & the partie Iurie, & the partie & parties, as is to be made and ſued in Attaint ſued at

Iſſues in Attaint.

Iſſues in attaint ſued in London.

Jurors, Iuries, and Enquests.

the common Law. And the same proces shall be made returnable at euery Hustings of common pleas, & the Attaint shall not remaine to be taken after the first summons returned, for or by the default of the def. or tenant, defendants or tenants, or of any of the partie Iurie named in the same Attaint by this act ordeined. And the penalties forfeited by any of the said graund Iurie, shall be leuied to the vse of the Maior & Cominaltie of the said Citie, wherein no P. or E. shall be allowed &c. 11. H. 7. 21.

28 Upon a reasonable excuse for default of apparance of any Iuroz sufficiently proued before the Iustices of Assises or Nisi prius at the day of their apparance by the Oth of two lawfull and honest witnesses, the said Iustices shall haue authoritie by their discretions to discharge euery such Iuroz of enery such forfeiture of issues vpon him returned. And the Shireife or other minister hauing commandement by the said Iustices to omit the returning of such issues as is aforesaid vpon such Iuroz or Iurozs shall be therein discharged of the penalties aforesaid for the non returning of the said issues: And yet notwithstanding the said returne shall be good & effectuell in the law, any law, custome &c. notwithstanding. And if the said Iustices before whom any such Iurie should appeare in the Countie where such issue is to be tried by vertue of a writ of Nisi prius doe not come at the day & place appointed, but that the same Assise or Nisi prius for that time shall be discontinued for not comming of the said Iustices or for any other occasion other then by default or lacke of Iurozs: Then euery one of the said Iurozs shall be discharged for forfeiting of any issues vpon him returned in the same writ. And the Shireife or other minister shall be likewise discharged of the penalties of this Statute for the not returning of such issues as therein are limited: any article or statute herein contained &c. notwithstanding. 35. H. 8. 6. 2. Ed. 6. 32. A like byaunch of a Statute was made Anno 5. Eliz. 25. for the authoritie of the Iustices or their deputies, to discharge any Iuroz of his default of apparance at the great Sessions in the xii. Shires in Wales, or in the Countiees Palantine of Chester, Durham, or Lancaster, Et sic de ceteris verbatim vt supra.

An Enquest
shalbe de me-
diatore lingua,
where an alien
is partie.

29 In all maner of Enquests, and proofes which be to be taken or made amongst Aliens & Denizens, be they Marchants or others, aswell before the Maior of the Staple, as before any other Iustices or ministers, althouh the Queene be partie, the one halfe of the Enquest or prooffe shall be of Denizens, and the other halfe of Aliens, if so many Aliens be in the towne or place where such enquest or prooffe is to be taken, that be not parties, nor with the parties in contracts, pleas, or other quarels, wherof such enquest or proofes ought to be taken. And if there be not so many Aliens, then shall there be put in such enquests or proofes as many aliens, as shall be found in the same townes or places, which be not thereto parties, nor with the parties as afoze is said, and the remnant of Denizens,

which

which be good men, and not suspicious to the one partie nor to the other.
25. Ed. 3. 8. 28. Ed. 3. 13. 2. H. 5. 3. 8. H. 6. 23.

30 But if it happen any outlandish person, calling himselfe an Egyp-^{Egyptians.}
tian, or any such stranger, do commit within this Realme any murder,
robberie, or felonie, and thereof be indicted and arraigned, & doe plead not
giltie, or any other plea triable by the Countrey, then the enquest that
shal passe betweene the Queene & such partie, shall be altogether English
men. 22. H. 8. 10. And in like sort shall the Enquest be, where any of the
said Egyptians is indicted of felonie for continuance within this realme
by the space of one moneth. 1. & 2. H. and H. 4. 5. Eliz. 20.

31 No Iurie shall be compelled to appeare in any of the Q. Courts ^{Where Iuries}
at Westm. for the triall of any issue in any suite, vpon any penall law, ^{shal not be com-}
for any offence committed aboue thirtie miles from the Citie of Westm. ^{pelled to ap-}
except in case where the Atturney generall for the time being, for some ^{peare at West-}
reasonable cause in that behalfe shewed, shall require the same to be tried ^{minster.}
at the Barre in any of the Courts of the Queenes Maiestie, her heires
or successors at Westminster aforesaid, which request shall be noted on
the backside of the writ of Distringas thereupon awarded, to the end the
Shirife or his bailife may and shall signifie the same to the Iurie that are
in such cases impanelled. 18. El. 5. 27. El. 10.

32 The Iustices of Assise shall not compell the Iuroz precisely to ^{The Iury may}
say that it is a disseison, or not, so they wil declare the truerth of the mat- ^{give their ver-}
ter, and require the Iustices helpe. But if they willingly say, that it is a ^{dict at large.}
disseison, or not, their verdict shall be receiued at their owne perill, West-
minster 2. 13. Ed. 1. 30.

33 No Shirife, Coroner, or other person to whom it shall appertaine ^{No Iuroz re-}
to make returne of any writ, shall returne any Iuroz dwelling out of any ^{turned without}
libertie, without the true addicion of the place of his dwelling or abode, at ^{addicion of his}
the time of the said returne, or within one yeere next befoze the making ^{dwelling place.}
of any such returne, or some other addicion, by which the partie returned
may be knownen: Nor any Iuroz within any libertie, with other addicion,
then such, as shall be deliuered to him, by the bailife of the said libertie
or his deputie, certified vnder his or their hand: Nor any Bailife of any
libertie, nor any his or their deputie or deputies, shall of himselfe returne
any Iuroz, or deliuer to the Shirife, his Under Shirife, deputie, or depu-
ties, the names of any persons to be returned vpon any panell or Iurie,
without the true addicion certified vnder his or their hands to the Shirife
of the place of dwelling or abode of euery person so to be returned, at the
time of the said returne, or within one yeere next befoze the said returne,
or some other addicion, by which the partie returned, may be knownen. 27.
Eliz. 7. 39. Eliz. 18.

34 No extract of issues, against any Iuroz returned, as aforesaid, shal ^{In enery Ex-}
be deliuered out, receiued, or put in vze without such addicion as is put in ^{tract of issues}
the ^{against a Iu-}
^{ror his addicion}
^{shall be put.}

Jurors, Iuries, &c. Iustices of Assise, & Gaole deliuerie.

the originall Panell of Tales, wherein such Iuroz shall be so returned. And no Undershirife, Bailife, or other Officer, or person whatsoever, shall collect, leuie, or gather any issues so extreated, of any other person or persons, then of such person and persons, as by vertue of the said extreat, is of right charged, or chargeable, with the payment of the said issues, vpon paine that euery Clerke, that shall writ or deliuer, or cause, or procure any such extreat to be deliuered out, receiued, or put in vze, and euery other person offending contrarie to the intent and meaning of this Act, shall forfait to the Queene, her heires and successors iii. li. vi. s. viii. d. and to the P. griened, or which shall sustaine any losse thereby iii. li. vi. s. viii. d. to be recouered by A. B. P. or J. in any Court of record, wherein no T. A. E. P. shall be allowed. 27. El. 7. 39. El. 18.

1 That Iuries taken by the Marshall of the Queenes house, shall be of the Countrey there about. S. Marshall 4.

2 That a Iurie charged to inquire of trespass committed within a Forest, shall giue their verdict where they receiued their charge. S. Forests 7.

3 Of what sufficiencie Jurors returned to inquire of Riot, Rout, or vnlawfull assemblie ought to be. S. Riots 7. 15.

4 Of what sufficiencie Jurors returned in Attaint ought to be. S. Attaints 1. 6. 7. 14. 21.

5 Where the Iurie shall be de Medietate lingue. S. Attaint 21.

6 Where Jurors may be impanelled in one Countie to inquire of any act, thing, or matter in an other. S. Attaint 7.

7 What Jurors shall be impanelled for the triall of him which feloniously imbesilleth a record. S. Felonie 18.

8 Where a Iurie shall be taken for an Infant, as though he were of full age. S. Age 2.

9 Within what time panels of Assises shall be arraied, and copies deliuered to the parties. S. Assise 8.

10 Where a Tales shal be awarded into an other Countie, then where the issue is to be tried. S. Attaint 7.

11 That a Bailife shall be appointed for the keeping of a Iurie in Wales, and the punishment of those Iurors there, which doe wrongfully acquite any Felon or Murderer. S. Wales 114. 114.

Iustices of Assise, and Gaole deliuerie.

No man shall sit with the Iustices of assise.

NO Lord or other of the Countrey great or small, shall sit vpon the bench with the Iustices of the Assise in their Sessions, in any of the Shires of England, vpon paine of a great forfeiture to the Queene, whether the Iustices shall suffer the contrarie to be done. 20. R. 2. 3.

No man shall be Iustice of assise in his owne Countie.

2 No Iustice, nor other man learned in the Lawes of this Realme, shall vse nor exercise the office of Iustice of Assise, within any Countie where he was bozne, or doth inhabite, vpon paine to forfeit. for euery offence done contrarie to this act a C. li. to the D. & J. to be recouered by A. J. &c. wherein

wherein no *M. E. P.* But this act doth not extend to any clerke of assises associat to anie Iustice of assise, for he may exercise the office of Clerkship of assise in anie countie, citie, or towne, where he doth dwell, or was borne: Neither doth this acte extend vnto the Iustices, Iustice clerks, or Clerke of assises within the Queenes Duchie and Countie Palantine of Lancaster, nor to the Iustices of the one Bench or the other for taking, hearing or determining assises in the said Courts, nor to anie Iustice that shall take anie assise by or vpon adiournement for difficultie of the same, nor to any Maiors, Sheriffs, Recorders, Stewards, Bailifs, Sutoys, or other officers in anie citie, borough, or towne, but they may be Iustices of assise of fresh force, and of other assises, in the same citie, borough, or towne, where hee or they doe dwell, or were borne, as they might haue been before. *33. H. 8. 24. 8. R. 2. 2.*

3 Iustices of assise and gaole deliuerie, shall keepe their sessions in the principal & chiefe townes of euerie countie, viz. where the Countie courts of the same counties be holden, or shalbe holden *6. R. 2. 5.* And the sessions of the Iustices of assise and gaole deliuerie within the countie of Cumberland shalbe holden in the time of peace and truce in the citie of Carlisle and in none other place. *14. H. 6. 3.*

4 The Iustices before whom inquisitions, enquests and iuries shall be taken by the Queenes writ called *Nisi prius*, according to the forme of the statute thereof made, haue power of all the cases of felonie and of treason, to giue their iudgements aswel where a man is acquit of felonie or of reason, as where he is thereof attainted, at the daie and place where the said inquisitions, enquests & iuries be so taken, and then from thenceforth to award execution to be made by force of the same iudgemets. *14. H. 6. 1.*

1 What suites commenced before Iustices of assise shall not be discontinued by death, new commission, association, or not comming of the Iustices. *S. Discontinuance. 2. 6.*

2 That new Iustices of gaole deliuerie haue authoritie to giue iudgement against a prisoner found guiltie, and reprimed. *S. Discontinuance 5.*

3 That Iustices of Assise and gaole deliuerie may inquire of seuerall offences prohibited by seuerall statutes. *S. Iustices of peace.*

Iustice and right.

Iustice shalbe sold, deferred, or denied to no man *Magna Charta 9. H. 3. 29.* And the Iustices of anie bench or court whatsoever shall not let to do, or execute the common law for anie commandement which shall come vnto them, vnder the great seale or priuie seale. *14. Ed. 3. 14.*

Iustices of peace.

In euerie countie of England, good & worthe men which be no main-teners of euil, nor Barratoys in the countrey, shalbe assigned Iustices of peace. *1. Ed. 3. 16.* which Iustices shalbe assigned (of the Lords. *34. Ed. 3. 1.*) and the most worthe & sufficient Knights, Esquires, and men learned

Iustice of peace.

**Iustices shalbe
resident with-
in the shire.**

learned in the lawe of the same countie 13. R. 2. 7. by the aduise of the Chancelloz, and the Q. Counsell, without taking other persons dwelling in foraine shires to execute the same office, except Lords & Iustices of Ass. and the Q. chiefe Stewards of her Duchie lands in the North and South parts for the time being. 2. H. 5. 1. And the Iustices of P. of euery Shire, named of the Quorum, shalbe resident within the same shire, except Lords named in the Commission of the peace, and also except the Iustices of the one Bench and the other, the chiefe Baron of the Eschequer, Serjeants at the law, and the Queenes Atturney, for the time that the same Iustices, chiefe Baron, Serjeants at the law, and the Queenes Atturney be attending and occupied in the Queenes courts, or otherwise in some other place occupied in the Queenes seruice, 2. H. 5. 4.

Bishop of Ely.

2 The Bishop of Ely and his successozs, and their tempozall Stewards of the Isle of Ely for the time being, shalbe Iustices of P. within the said Isle, & shal vse within the same Isle al things that do belong to anie Iustice of peace within anie countie of this realme, and so shal the Bishop of Durham &c. and his tempozal Chancelloz of the Countie Palantine of Durham, be Iustices within the same countie, &c. And in like sort shal the Archbishop of Yorke, &c. and his tempozal Chancelloz of the Shire and libertie of Hexam called Hertoldsham, be Iustices within the same shire. 27. H. 8. 25.

Durham.

Yorke.

**Of what liking
Iustices of P.
ought to be.**

3 No man shalbe appointed Iustice of the peace in any county, if he haue not lands or tenements to the value of xx. pound by yeere, and if any man be ordained Iustice of peace in any countie, which hath not lands & tenements to the said value, he shal giue knowlege thereof to the Chancelloz of England, which shal put another which is sufficient in his place, and if he do not giue notice thereof within one moneth, after hee hath knowlege of the same commission, or if he sit or make anie warrant, or precept, by force of such commission, he shalbe put out of that commission, and also shal forsaite twentie pound to the Q. and A. to be recovered by action of debt at the common lawe. But this statute doth not extend to cities, townes or boroughs which be counties incozpozat of themselves, nor to cities, townes, or boroughs which haue Iustices of peace of any persons dwelling therein by the commission or grant of the Q. or anie of her progenitozs. And if there be not sufficient persons learned in the lawe, and of good gouernance in the same countie hauing lands and tenements to the value aforesaid, the Chancelloz of England by his discretion, may put other persons learned in the lawe in such commissions, though they haue not lands or tenements to the value aforesaid. 18. H. 6. 11.

Iustices othe.

4 Iustices of peace shalbe swozne, duely and without fauour to keepe and put in execution all Statutes and ordinances touching their offices. 13. R. 2. 7. And euery Iustice of peace, before he shal take vpon him, or be allowed to exercise the same office, shal take & pronounce a cozpozall othe vpon

upon the Euangelists, for the maintenance of the Iurisdiction ouer all estates, and for the abolishing of forrein powers repugnant to the same.

1. Eliz. 1. For the forme of the othe. S. Queene 4.

5 Iustices of peace shall hold their sessions foure times in the yere, Quarter Sessions. that is, the first weeke after the feast of S. Michael, the first weeke after the Epiphanie, in the first weeke after the clause of Easter, and the first weeke after y^e translation of Saint Thomas the Martyr, and moze oft if neede be. And the same Iustices shall hold their Sessions through the realme of England in euerie of the aforesaid weekes yerely. 2. H. 5. 4. Euerie of which foure sessions the said Iustices shall holde by the space of iii. daies if neede be, vpon pain to be punished by the aduice of the Queens Counsell at anie mans suit which wil complaine. But the Iustices of the one bench or the other, or the Sergeants of the lawe, where they be in commission of the peace, are not bound to keepe the sessions foure times in the yere, as other commissioners which be continually dwelling in the countrey, but they shall doe it when they may well intend it, 12. R. 2. 10. and Iustices of peace of the Countie of Middlesex are discharged of the said penaltie, for not keeping Sessions foure times in the yere, (the Court of the Kings bench sitting in the same County.) But the Iustices of the said countie of Middlesex shall keepe their Sessions, twice in the yere at the least, and moze often if neede be, for anie riot, or forcible entrie made within the same Countie, vpon the paines and forfeitures by law for such offences provided. 14. H. 6. 4.

6 Euerie Iustice of peace shall take for his wages iiii. s. a day during the time of their sessions, and their Clerkes ii. s. of the fines and amerciaments rising and conuining of the same sessions, by the hands of the Sherife, 12. R. 2. 10. But no Duke, Earle, Baron, or Baronet, being Iustices and keeping the sessions, shall take anie wages for the same office. 14. R. 2. 11. Iustices wages.

7 Iustices estreats shall be double, & one part shall be deliuered by them to the Sherife, to leuie the money thereof rising, & to pay to the Iustices their wages by the Sherifes hand, by indenture made betwixt them, And the Iustices shall put their name to the said estreats, with the number of the daies of their sessions, that the Sherifs may know to whom to pay wages, and to whom not, And the Barons of the Exchequer, whom to allow and whom not. 14. R. 2. 11. Estreats.

8 The Iustices of peace or three of them at the least whereof one to be of the Quorum, in enery shire of this realme and Wales, and all other places within the Queenes dominions, haue authoritie to take information by the deposition of two honest and lawfull persons at the least, And after to enquire by the othes of xii. men in euerie their foure quarter sessions, of all and singular such accusations and informations made of anie the offences prohibited by the statute provided. 1. Ed. 6. against such as Iustices authority, and what things they are to inquire of. shall

Iustice of peace.

Unreuerent
speaking a-
gainst the sa-
crament.

shall speake unreuerently against the sacrament of the body and blood of Christ &c. and for the receiuing thereof vnder both kinds within the limits of their commission. And vpon euerie such accusation and information the offendour shall be enquired of, and indicted before the said Iustices of peace, or thre of them at the least, of the said contempts and offences, by the verdict of twelue men, if the matter of the said accusation & information shall seeme to the said Iurie good & true. And the said Iustices of peace, or thre of them at the least, before whom anie such presentment, information, and accusation shall be made, shall examine the accusers, what other witnesses were present at the committing of the said offence, and how manie others then the accusers haue knowledge thereof, & haue authoritie by their discretions to binde by recognisance aswel the said accusers, as al such other persons, whom the accusers shall declare to haue knowledge of the offences by them presented & informed, euery of them in five pounds to the D. to appeare before the said Iustices, before whom the offendour shall be tried, at the day of his trial and deliuerance. And the Iustices of P. or thre of them at the least, haue authoritie to make proces against euery person so indicted, by two Capias and Exigent, and by Capias Vclagatum, as wel within the limits of their Commission, as into all other Shires and places of this Realme, Wales, and other the Queenes Dominions, as well within liberties as without, and the same proces shall be good in the lawe to all intents, and vpon the apparance of the offendour, they haue authoritie to determine the said offences, according to the lawes of this realme, and effect of this acte. And also they haue authoritie to let anie person so indicted, by their discretions, to baile for his apparance to be tried according to the tenour of this Acte. And the said Iustices of peace, or thre of them at the least, at their Quarter sessions where anie offendour shall be indicted of anie of the offences aforesaid, shall award a writ in the Queens name to the Bishop of the Dioces, wherein the offence is supposed to be done, requiring him to be in his owne person, or by his Chauncellour or other his sufficient Deputie learned, at the Quarter Sessions in the said countie to be holden, when and where the offendour shall be arraigned and tried, appointing in the said writ the day and place of the arraignment, which writ shall be of this forme.

A writ to the
Bishop.

Elizabeth &c. Ep̄o. Salutem. Præcipimus tibi quod tu, Cancellarius tuus, vel alius deputatus tuus sufficienter eruditus, sitis cum Iustitiarijs nostris ad pacem, in Com̄ nostro B. conseruand. assignat. apud D. tali die, ad sessionem nostrā adtunc & ibidem tenendam, ad dandū consiliū & aduisamentū eisdem Iusticiarijs nostris ad pacem, super arrainment. & deliberationem offendent. contra formam Statuti concernen. sacrosanctum sacramentum Altaris. But no person shall be indicted of any contempts or offences aforesaid, but onely of such as shall be done within thre moneths next after the offence committed. But in all trials for anie such offendour

offendours befoze the said Justices, the person complained on, and arraigned, shall be admitted to purge or trie his innocencie, by as many or moe witnesses in number, and of as good honestie and credence, as the witnesses be, which be deposed against him. 1. Ed. 6. 1. 1. Eliz. 1. See Sacraments 1.

9 Justices of assise in their circuites, and Justices of peace within the limits of their commission, or two of euerie such Justices of peace at the least, whereof one to be of the Quorum, shall haue authority in their Quarter Sessions, to enquire of all offences, contemptes, and transgressions committed by anie person resiant within any of the Queenes Dominions, or vnder her power, which shall by wryting, ciphering, printing, preaching, or teaching, aduisedlie and wittingly stand with, extoll, maintaine, or defend the iurisdiction or power of the Bishop of Rome, or his See heretofore claimed &c. or shal attribute anie such iurisdiction or preeminence to the said See of Rome, or to any Bishop thereof, in like maner as they may of other offences against the Queenes peace. And shal certifie euerie presentment befoze them or anie of them had or made, concerning the same, or anie part thereof, into the Kings Bench within forty daies next after anie such presentment made, if the Terme be then open. And if not, at the first daie of the full Terme next following the said forty daies, vpon paine that euerie of the said Justices of assise or Justices of peace befoze whom such presentment shall be made making default of such certificat, to forfait for euery default to the Q. her heires and successors, one hundred pound. 5. Eliz. 1. S. Rome 1. And all and euerie offences committed against the act provided Anno 23. Eliz. (to retaine the Q. Maiesties subiects in their due obedience) or against the Acts of the 1. 5. 2 13. yerres of her raigne, touching acknowledging of her Maiesties supreme gouernment in causes Ecclesiasticall, or other matters touching the seruice of God, or comming to Church, or establishment of true Religion within this realme, shal and may be inquirable as well befoze Justices of P. as other Justices named in the same statutes, within one yeere and a day after euerie such offence committed. And Justices of Dier and Terminer, and Justices of assise, and of gaole deliuerie in their seuerall limits, haue power to enquire, heare, and determine of all offences against this statute. And Justices of peace in their open quarter sessions of peace, haue power by vertue of this act to inquire, heare and determine of all offences against this Act (except treason, and misprision of treason.) 3. Eliz. 1. S. Rome 2. &c. Sacraments 10. Recusants 1. &c.

Maintaining the authoritie of the Bishop of Rome.

S. 1. Eliz. 1. 2.
5. Eliz. 1.
13. Eliz. 2.
S. Queene,
Rome, Sacraments &c.

10 Euerie person which doth maliciously strike anie other with a weapon in anie Church or Churchyard, or doth drawe anie weapon in a Church, or Churchyard, to the intent to strike another, being convicted by verdict of twelue men, by his owne confession, or by two lawfull witnesses befoze the Justices of peace in their Sessions, shalbe adiudged by the

Striking in a Church.

Iustice of peace.

the same Iustices to haue one of his eares cut off, and if he haue no eares, to be burned in the cheeke with a hot iron, with this letter F. 5. and 6. Ed. 6. 4. S. Fighting. 4.

Preachers.

I 1 All and singular Iustices of peace, Iustices of Assise, Iustices of Oier and determiner, and all and singular Maiors, Bailifes, & Iustices of peace within anie citie, Borough, or towne corporat, within any parts of this realme, within the limits of their commissions, haue authorizity to enquire of all and singular offences and misdemeanors committed contrary to the Statute provided 1. H. against offenders of preachers, & other ministers of the Church, and to heare and determine the same, & to set fines and amerciaments of the said offender, as in the said statute is limited. 1. H. 3. S. Preachers 1. &c.

Buggery.

I 2 Iustices of peace haue authoritie within the limits of their commissions to heare and determine the offence of Buggerie, as they doe in cases of other felonies. 25. H. 8. 6. 5. Eliz. 1 7.

Horses conuey-
ed into Scot-
land.

I 3 Iustices of peace in their quarter sessions in euery shire of this realme, and the warden and wardens of the East, West, and middle marches for y^e time being, in their wardens courts, haue authoritie to enquire, heare and determine, all and euerie such felonies which shalbe committed by any such person which shal sell, exchange, or deliuer within Scotland, or the batable ground betwixt England and Scotland, to the vse of anie Scottissh man, anie horse, gelding or mare, or shall sell, exchange, or deliuer within this realme, Wales, Berwicke, or the marches, or in the said batable ground, to the intent to be conueied into Scotland, anie horse, gelding, or mare, without the Queenes speciall licence, vnder her great seale. 23. H. 8. 16. 1. Eliz. 7. S. Felonie 1. Horses 14.

Souldier.

I 4 Iustices of peace haue power to enquire, heare, and determine the offences of all Souldiers mustering and receiuing the Queenes wages, which do depart from their captaine within their terme, without licence, as they do and may in other cases of felonie. 18. H. 6. 19. 2. Edw. 6. 2. S. Captaine 3. Felonie 23.

Transporting
of Sheepe.

I 5 Iustices of Oyer and terminer, Iustices of Gaole deliuerie, and Iustices of peace in euery Shire within the Queenes dominions, haue authoritie to enquire of euery person offending contrarie to the statute provided against carrying ouer sea, Rammes, Lambes, and other Sheepe aliue, and to heare and determine euery offence committed contrarie to the effect of the same, according to the course of the lawes of the Realme. 8. Eliz. 3. S. Sheepe 1. Felonie 2.

Hunting with
Wifozs.

I 6 At euery such time as any Information shall be made of any vnlawfull hunting by night, or with painted faces, in any Forrest, Parke, or Warren, to any of the Queenes Councell, or to any Iustice of peace of the Countie where such hunting shall be, of any person suspected thereof, it shall be lawfull to any of the same Counsell, or Iustice of peace to whom

whom such information shall be made, to make a warrant to the Sheriffe, or to any Constable, Bailife, or other Officer of the same countie, to arrest and take the same person, to haue him before the maker of the same warrant, or any other of the Queenes Counsell, or Justice of peace of the same Countie, And the Counsellor or Justice before whom such person shall be brought, haue power to examine him of the said hunting, and of the doers thereof, and if he conceale the offence, or any offendour, it is Felonie, and if he confesse the trueth, and all that he shall be examined of, and knoweth in that behalfe, then the offence of hunting by him done shall be against the Queene, but trespassse fineable, to be assessed at the next generall Sessions by the Justices there. And if any Rescous, or disobedience be made to any person hauing authoritie to do execution or Justice by any such warrant, by any person which should be arrested, so that execution of the same warrant thereby be not had, then the same rescous and disobedience is felonie, and the same felonie shall be enquired of and determined as other Felonies bin. 1. H. 7. 7. S. Felonie 24. Forests 1.

17 The Justices of peace of the Counties of Norffolke and Cambridge within the Isle of Ely, at euery of their Sessions within the same Isle and Counties, haue power to cause enquirie to be made of euery offence committed in breaking vp, cutting, or casting downe new Powdike in Marshland in the Countie of Norffolke, and olde field dike by Marshland in the Isle of Ely in the County of Cambridge, and to award like processe against euery offendour, with like iudgement and execution of the same, (if he be found guiltie) as the same Justices haue vsed to do, vpon other felonies at the common Law. 22. H. 8. 11. 2. & 3. H. 8. 19. S. Felonie 36.

18 Justices of peace haue power to heare and determine at the Queenes suit all maner of felonies and trespassses committed against the peace in the same Countie, And to restraine offendours, riottors, and all other Barrettors, and to pursue, take, and chasten them, to imprison, and punish them according to their trespassse and offence, and also to informe them according the said Justices discretion, And to take and arrest all those which they can find by indictment or suspicion, and to commit them to prison, And to take of all those which be not of good fame in the place where they remaine, sufficient suretie and mainprise of their good abeing or behauiour towards the Queene, and her people, and the other duely to punish, to the intent that the people be not by such riottors troubled or indammaged, nor the peace broken, nor anie passengers by the way disturbed, or put in perill. But the fines which Justices shall assesse vpon any person for any offence shall be reasonable, hauing regard to the quantitie of the trespassse and the cause. 18. Ed. 3. 2. 34. Ed. 3. 1.

19 Justices of peace haue authoritie to enquire in their Sessions of

Iustice of peace.

of all manner of escapes, of euery person arrested and imprisoned for Fe-
lonie. 1.R.3.3.

Retayners.
Maintenance.
Embacerie.
Bowstaues.
Unlawfull
games.
Archerie.
Regratozs.
Vittailers.

20 Iustices of peace at their quarter Sessions, haue authoritie to en-
quire aswell by the othes of twelue men, as by information giuen to them
by any person, of all defaults, offences, and contempts committed against
the Lawes & Statutes made and prouided (befoze 16. Ianuarii, An. 33.
H.8. concerning, or in any wise touching Retayners, giuing of Liueries,
signes, tokens, or Badges, Maintenance, Embacerie, Bowstaues, Ar-
cherie, Unlawfull games, Forrestallers, Regratozs, Vittaille, Vittailers, and
Inholders, and euery of them,) and to heare and determine the said de-
faults, offences &c. And vpon any information touching the premisses, or
any of them, to make proces by Venire facias, one Capias, and an Exigent
vnder their seales, against euery such person and persons against whom
such information or presentment shall be had for their appearance, before
them in their Sessions, to answer to such information or presentment,
as shall be there made. And if the person or persons accused by informa-
tion or presentment, shall be conuict vpon any such information, or &c. by
confession or verdict of xii. men: Then the said Iustices haue power to
giue Iudgement against euery such offenders so conuicted of imprison-
ment, for faiture of money, or both of them, as are limited in the said seue-
rall Statutes, for such offences, whereof they are conuict, and to cause
execution thereof to be made accordingly. 33.H.8.10. 37.H.8.7.

Seditious ru-
mors of the
Queene.

21 All Iustices of peace aswell within liberties as without, with
in the limits of their seuerall commissions, in their generall or quar-
ter Sessions, haue authoritie to enquire of all and euery the offence
(prohibited by the Statute prouided 23. Eliz. against seditious word
and rumors vttered against the Queene) and to cause the offender or an
offenders therein to be indicted, without anie further proceeding ther-
in. 23. Eliz. 2.

Suspected per-
sons commit-
ted to Ward.

22 And also euery Iustice of peace within the limits of his commi-
ssion shall haue full power to commit any person being vehemently su-
spected of any of the said offences to ward, vnesse he do put in sureties to
make his personall apparance at the next quarter Sessions or Gaole de-
liuerie, and in default of finding such sureties, then to commit him to
prison, there to remaine vntill he shall find sureties for his apparance, as
is aforesaid. 23. Eliz. 2. S. Newes. 3. 4. 5. 6. 7. 8. 9. 10. 11.

Wilfull per-
iurie.

23 The Iustices of Assise and Gaole deliuerie in their seuerall ci-
uities, and the Iustices of peace in euery Countie within this Realm
or in Wales, at their quarter Sessions, both within liberties and with-
out, haue authoritie to enquire of all and euery the defaults and offence
committed contrarie to the statute prouided for the punishment of such
as shall procure or commit wilfull Periurie, by inquisition, presen-
ment, bill, or information before them exhibited, or otherwise, lawfull

to heare and determine the same, and therupon to giue iudgement, award proces, and execution of the same, according to the course of the Lawes of this Realme. 5. Eliz. 9. 29. Eliz. 5. S. Perjurie.

24 All and euery Iustices of Assise, Iustices of Oyer and determiner, Prophets, and Justice of peace, haue authoritie to enquire, heare, & determine euerie offence committed within the limits of their Commission, contrary to the tenor and meaning of the statute prouided 5. El. against fond and phantasticall prophesies. 5. El. 15. S. Prophecies 1.

25 The Iustices of peace of euery Shire haue authoritie from time Armour. to time to make search and view, of, and for the furniture of Horses, Geldings, Armour, and Weapon, to be kept by any person hauing landes &c. to the value of CC. li. or vnder, and not aboue CCC. li. or by any person chargeable by his goods, annuities, fees, or copyholdes, and to heare and determine at their quarter Sessions, all defaults committed contrary to the statute prouided 4. & 5. P. & M. for the hauing of Horse, Armour, and Weapon, within the Countie where such Sessions shal be kept, by inquisition, presentment, bill, or information befoze them exhibited, or by examination of two lawfull witnesses, at their discretion, and to award proces against them, as if they were indicted befoze them by verdict &c. And vpon the conuiction of the offender by Information or suit of any other then the Queene, to make estreats of the one moitie of the forfeitures, to be leuied to the vse of the Queene, and to award execution of the other moitie to the vse of the complainant or Informer, against the offender by Fieri facias, or Capias, as the Queenes Iustices at Westm. may do. And if the conuiction shalbe onely at the Queenes suit, the whole forfeiture shal be estreated onely to her vse. But he that is once conuict for any of the sayd offences, shal not be elssoones troubled or conuicted for the same. 4. and 5. P. and M. 2. S. Armour.

26 All Iustices of Assise in their circuites, and all Iustices of peace Distress. within the limits of their commissions in their Assises and Sessions, shall & may from time to time enquire, heare, and determine euery of the offences committed contrary to the Act prouided 4. & 5. P. & M. for the taking of Distress within the precinct of their commission, And if any person shal be befoze them presented or indicted of any of the said offences, then the said Iustices shall, and may award such proces against euery such person so indicted, as vpon indictments of trespass is vled to be made. And if any such person so indicted do appeare, and confesse the same, or plead to the same Indictment, and after by verdict of xii. men shal be conuicted, then the said Iustices shall and may award such person to prison, there to remaine without baile or mainprise, vntill he hath paid the one moitie of the forfeiture specified in the said Act, vnto the Queene, and the other moitie vnto him, by whose euidence he shal be conuicted, and if such conuiction shal be without euidence openly giuen by any person, then the partie
C c conuicted

Justice of peace.

convicted shall remaine in prison untill he hath satisfied the whole forf. due to the Queene. 4. & 5. H. and H. 3. S. Capitaines 12.

Transporting
of victuals,

27 All and singuler Justices of peace, aswel within liberties, as without, within their severall authorities (at any time within thre yeres) next after such offences committed haue power to enquire, as wel by the othes of xii. lawful men, as also to heare and examine the Masters & Mariners of the Ships, Trayers, and euery other person, of all and singuler the offenders against the act prouided 1. & 2. H. and H. 3. for the restraining of carrying Cozne, Beere, Butter, Cheese, Hearing, and Wood beyond the Sea, and to heare and determine the same offences, as they may and ought to heare and determine any other trespasses or offences 1. and 2. H. and H. 5. And Justices of peace in their quarter Sessions, or the greater part of them, may by their writings, vnder their hands and seales make any determination to the contrarie of that, which before was determined by the Justices of Assise, for the transporting of Cozne, or restraint therof, if they shall find the same to be hurtfull to the Countrey by the meanes of dearth, or too much cheapnes, and to cause their determination to be proclaimed. 13. Eliz. 13. S. Corne 1. 7.

Dilch Wine.

28 Justices of peace haue power at their generall Sessions to heare and determine the offences committed contrary to the Statute prouided for the keeping of Dilch Wine, and for the breeding and rearing of Calues, by bill, information, presentment, action of debt, or detinue, and euery person that will, may sue for any penaltie forfayted by the said Statute, within one yere after the offence committed, before the Justices of peace, in the same Shire, where such cause of forfayture shall be had, at the generall Sessions, wherein no W. &c. E. H. or licence to the contrary shall be allowed. 2. and 3. H. and H. 3. Anno 13. Eliz. 25. S. Cartell 3.

Wainlinges.

29 The Justices of peace of euery Shire within this Realme, within the limits of their commission, haue authority at euery of their generall Sessions, to enquire, heare, and determine the offences of those which shall kill, or cause to be killed any wainlinges vnder the age of two yeres, to the intent to make sale thereof, aswell by information, or presentment, as by bill, or plaint, wherein no W. &c. E. H. &c. 24. H. 8. 9. 27. Eliz. 11. 35. Eliz. 7. S. Butchers 2.

Making of
Mault.

30 The Justices of peace in euery of their Sessions, shall haue full power & authority to inquire, heare and determine, aswell by presentment of xii. men, as by accusation or information of two honest witnesses, of, for and vpon all and euery the offences and forfaytures committed, contrary to the Statute made An. 2. Ed. 6. for the true making of Mault, aswell for the Queene, as for the party that shall sue, procure, or cause the same to be presented. 2. Ed. 6. 16. 39. El. 18. to continue vntil the end of the next parliament, now next ensuing. S. Mault.

31 The Justices of peace in euery Countie within this Realme of *Forestallers,*
Wales, at their quarter Sessions, haue authoritie to enquire, heare, and *Regrators,*
determine all and euery the defaults and offences committed contrarie to *Engrossers.*
the Statute prouided 5. Ed. 6. against Forestallers, Regrators, and En-
grossers, within the Countie, where any such Sessions shall be kept, by
inquisition, presentment, bill, or information before them exhibited, and
by examination of two lawfull witnesses, or by any of the same waies,
by the discretion of the said Justices, and to make proces thereupon as
though they were indicted before them by Inquisition or verdict, & vpon
the conuiction of the offender by Information or suit of any other then
the Queene, to make extracts of the one moitie of the forf. to be leuied to
the Queenes vse as they do of other fines, issues, &c. growen in the Sessi-
ons, & to award execution of the other moity for the Compl. or Inform. a-
gainst the offender by Fieri facias, or Capias, as the Queenes Justices at
Westm. doe. And if the conuiction be at the Queenes suit only, the whole
forf. shall be extracted and leuied to her onely vse. 5. Ed. 6. 14. 13. Eliz. 25.
See Forestallers &c.

32 The Justices of peace in their generall Sessions, shall or may, by *Recognisance*
their discretions, take band and surety by Recognisance of euery such as *of Badgers.*
shall be allowed a common Drouer of Cattell, Badger, Lader, Kidder,
Carrier, or Buyer of cozne, graine, butter, or cheese, that he shall not by
colour of his licence Forestall, Engrosse, or practise any thing contrarie
to the tenor, or true meaning, or in defrauding of the Statute of 5. Ed. 6.
14. or of any thing therein contained. An. 5. Eliz. 12. *Drouers.*

33 The Justices of peace in euery Countie within this Realme, or *Licence of*
Wales, at their quarter Sessions, haue authoritie to enquire, heare, and *Badgers, and*
determine all defaults and offences, committed contrary to the statut pro- *Drouers.*
vided 5. El. for the licencing of Badgers of cozne, and Drouers of cattell,
within the County where such Sessions shall be kept, by Inquisition,
presentment, bill, or information before them exhibited, and by examina-
tion of two lawfull witnesses, or by any of the said waies, by the discre-
tion of the said Justices, and to make proces thereupon, as though they
were indicted by inquisition or verdict, and vpon the conuiction of the of-
fendor, by any Information or suit of any other then the Queene, to make
extracts of the moity of the forf. to be leuied to the Queens vse, as they do
of other fines, &c. growen in the Sessions, & to award execution of the o-
ther moity for the Compl. or Informa. against the offender by Fieri faci-
as, or Capias, as the Queenes Justices at Westm. doe. And if the conuicti-
on be at the Queenes suit onely, the whole forf. shall be extracted and le-
uied to her vse onely, 5. El. 12. S. Badger &c.

34 Justices of Oyer and determiner, Justices of Assises in their cir- *Unlawfull ta-*
cuits, Justices of Gaole deliuery, and Justices of peace in their Sessi- *king of fish,*
ons, haue authority to enquire, heare, and determine all and singuler the *Deere, or*
offences *Hawkes,*

Iustice of peace.

offences, committed contrary to the statute provided 5. El. for the punishment of unlawful taking of Fish, Deere, and Haukes, and to award procelle thereupon, as well upon Indictments taken before them, as by bill of complaint, information, or any other action, wherein no W. E. P. &c. If any person shall be bound before any of the said Iustices to the Queene for his good abearing for 7. yerres, according to the tenor of the said Act, & the same partie shall afterward within y^e 7. yerres, come before the Iustices of peace of the Countie where the offence was committed, or some of them in open Sessions, and there confesse his offence, and be soz^y therfore, and satisfie the partie griued, according to the tenour of the said Act: then the same Iustices haue authoritie in the same, or any other open Sessions within the said terme of 7. yerres, if it shall seeme good to their discretions, to discharge the said Recognisance & Band, and the party so bound. 5. Eli. 21. S. Fish 7. Forests 3. Hawkes 1.

Buckstals.
Stalking.

Taking of
Herons.

35 Two Iustices of peace in their Sessions, haue authoritie to call before them any person hauing no Park, Chase, or Forrest of his owne, which keepeth, or causeth to be kept any deere hayes, or buckstals, or which stalketh with any bulsh or beast to any Deere, being in any chace, parke, or forest, sauing in his owne, without licence of the owner, Master of the game, or keeper of the same Forrest &c. Or which killeth, taketh, or causeth to be taken any Herons (except by hauking or with long bow) or taketh any yong Herons out of the nest, without licence of the owner of the ground where the nest is, and by their discretions to examine him in the premises. And if the partie examined be found in default contrarie to the premises, then he shall be committed to prison vntill he hath found suertie for payment of the forfaiture to the Queene. And the Iustices that examine him shall haue the tenth part of euery such forf. for their labour, An. 19. H. 7. 11 S. Hunting 3. 4. Herons 1. 2.

Hunters.

36 Iustices of peace may and shall enquire of all lay men hauing not lands to the value of xl. s. by the yere, & of all Clerks, not hauing liuing to the value of x li. by the yere, which do keepe any dogs to hunt, or do vse fire-rets, hayes, nets, harepipes, cords, or other engins to take or destroy deere, hares, conies, or other gentlemens games, and shall punish them by one whole yerres imprisonment. 13. R. 2. 13. S. Hunters 1.

Tracing of
Hares.

37 Iustices of peace within euery shire, at euery Session of the peace, haue authoritie to enquire of such as do trace, destroy, and kill any Hare in the snow, with any dogge, bitch, or otherwise, and after such inquisitione found, the said Iustices shall assesse vpon euery such offender vi. s. viii. d. to be soz^yfaited to the D. 14. H. 8. 10. S. Hunters 2. Leeres 16.

Felants.
Partridges.

38 Iustices of peace haue authoritie to heare and determine as well by inquisition as information, and proofes, the offences of all those which shall take, or cause to be taken any Felants or Partridges, by Nettes, snares, or other engins, out of their owne Warren, vpon the freehold of any

any other person, without the licence of the owner or possessor. 11. H. 7. 17. S. Felants 1. And the Justices of Assise in their circuits, and Justices of the peace in every Shire, Countie, and Towne corporate, within this Realme in their Sessions, within the severall limits of their Commission, shall and may enquire, heare and determine of all and every offence offences which shall bee committed within the precinct of their Liberties, Jurisdictions, or Franchises, against the tenour of the Act provided 23. El. for the preservation of Felants and Partridges. And every Justice of peace within every Countie of this Realme, shall within the limits of his commission, have power to examine all offenders in any article of the same Statute within the Countie where he is or shall be Justice, if so be that the said offence or offences shall not before be heard or determined by the Justices of Assise in their Circuits, or by the Stewards of Leetes, Liberties, or Lawdaies, within their severall iurisdiccions, and also to take band with good suerties for his and their appearance that shall so offend, to appeare at the next generall Sessions of the peace to be holden within the same Countie where the same offence shall be committed to answer the said offence, and to pay the penalties or receive the punishment by this Act appointed. 23. El. 10. S. Felants &c. 2. 3. 4. 5. Leetes 18.

Examining of offenders.

39 Justices of peace have authoritie, to heare and determine as well Haukes egges. by Inquisition, as Information, and proofes, the offences of all them, which shall take, or cause to be taken the egges of any Faucons, Goshaukes, Laners, or Swannes, out of the nest, or shall take any Eirer, Faucon, Goshauke, Tercel, Laner, or Laneret, or purposely drive them out of their couerts accustomed to breed in, or cause them to go to other couerts to breed, or kill them for any hurt by them done. 11. H. 7. 17. See Haukes 3. 4.

40 Justices of peace in their Sessions, Justices of Oier and Determiner, and Justices of Assise in their severall circuits, have authority to enquire, heare and determine all offences committed contrary to the statute provided 1. El. touching the taking, killing, or destroying of Fish or Frie, and Spawne, (which be not presented at the Leete where they shall be committed) within one yere next after the offence committed. 1. El. 17. 35. El. 7. S. Fish. 3. 4. Leete 6.

Destroying of Fish.

41 The Justices of peace of all the Counties of England, shall be Conservators of the statute provided 13. Ed. 1. and 13. R. 2. for the preservation of Salmon, in the Counties where they be Justices. And they and every of them, at all times when they may attend, shall suruey the offences attempted against the said Statutes. And shall suruey and search all the Meares in such Rivers, that they shall not be very strait for the destruction of Frie and brood, but of a reasonable widenesse after the old Assise accustomed, and if any of them shall find default against the sayd Statutes,

Conservators of Salmon.

Justice of peace.

Underconser-
natozs sworn.

Statutes, he shall punish the offender according to the content of the same statutes. And the same Justices, shall appoint under them good and sufficient underconseruatozs, which shall be sworn to make like surueying, search, and punishment, without any fauour shewed. And the same Justices in their Sessions, shall enquire as well by their office, as at the information of the said underconseruatozs, of all trespasses and offences committed against any point of the said statutes, and shall cause them which be thereof indicted, to appeare before them: And if they be thereof conuicted, they shall be imprisoned, and make fine after the Justices discretion, and if the same be at the information of any of the underconseruatozs, he shall haue the one halfe of the same fine. 17. R. 2. 9. S. Fish 1.

Apparell.

42 It is lawfull to Justices of peace in their Sessions, the Sherife in his Turne, the Steward in any Leete or Lawday; the Aldermen in their Wards, and to all other persons hauing authority to enquire of bloodshed and fraies, to enquire of euery of the offences and forfeitures committed against the statute provided 24. H. 8. for the reformation of excelle in Apparell, and the parties offending the said statute and presented, shall make fine, in maner and forme and after the rate expressed in the said statute 24. H. 8. 13. And also Justices of Assises in their circuites, and Justices of P. in their Sessions, shall and may enquire, heare, & determine from time to time, all and euery the offences committed within the limits of their Jurisdictions, contrary to the statute provided 1. & 2. P. & M. for the reformation of excelle in Apparell. And they haue authority vpon the conuiction of euery offender, to award proces to the Sherife of any shire within this realme, for the apprehension of the said offender, which being apprehended shall be committed by the Sherife to the prison of the said shire, vntil he hath paid the forfe. by the said statute appointed. 1. & 2. P. & M. 2. S. Apparell.

Hospitalitie.

43 All Justices of peace in euery Shire, where any offence shall be committed contrary to the true intent of the act made 27. H. 8. (whereby Religious houses of Monkes, Chanons, and Nuns, which might not dispend in lands &c. aboue the clere yerely value of two hundred pounds, were giuen to the said King H. 8. his heires and successozs for euer. And whereby all persons and bodies politike and corporate, to whom the said King, his heires or successozs should giue, grant, let, or demise any Scite or precinct with the houses thereupon builded, with the demeanes of any of the said Religious houses, by that Act dissolved, be bound to keepe, or cause to be kept an honest continuall house and household in the same Scite or precinct, and maintaine Tillage,) shall in euery quarter and generall Sessions, within the limits of their commission, enquire of the premisses, & haue full power and authority to heare and determine the same, and to take and asseste no lesse fine for euery of the said offences then in the said statute is limited for the same. And the estreats thereof shall be certified into the Exchequer according, and at such time and forme, as other estreats of fines, issues

issues and amerciamentes bin made by the said Justices. 27. H. 8. See Husbandry 1.

Husbandry and Tillage.

44 The Justices of Assise or Justices of peace in euery County with- in this Realme at the Assises or quarter or general Sessions shal haue ful power & authority to inquire, heare & determine al and euery the defaults & offences committed or done contrary to the act made (An. 39. El. for the maintenance of husbandry and tillage) within the countie where any such Assises or Sessions shall be kept. 39. El. 2. S. Husbandry & c. 25. And the Justices of Assises to be holden within euery county of this Realme, shall haue ful power and authority to enquire of, heare & determine al and euery the defaults and offences committed contrary to the statute provided An. 39. El. against the decaying of Townes & houses of husbandry (within the County where any such Assises shalbe kept vpon Inquisition, Indictment, Bill, or Information to be exhibited befoze them. 39. Eliz. I. See Husbandry & Tillage 2. & c.

Townes.

Crossebowes. Handguns.

The Jury concealing offence.

45 It is lawfull to all Justices of peace in their Sessions, to enquire, heare and determine euery offence committed contrarie to the tenour of the statute made 33. H. 8. concerning Crossebowes and Handguns, so that alwaies no lesse fine then x. li. be assessed vpon euery presentment, and conuiction made, according to the due course of the Law, the same fine vpon euery such presentment and conuiction, to be leuied onely to the Queenes ple. And if any Jury swoyne and charged to enquire for the Queene, of any offences committed contrary to the said statute, doe wilfully conceale any of the said offences: then the Justices befoze whom any concealment shalbe had, haue authority to charge and sweare an other Jury, to enquire of euery such concealment, and if such concealment be found and presented by the said Jury, then euery of the said first Jury shall forfeit for euery such concealment of euery offence xx. s. to the Queene. And euery Justice of peace, vpon due examination and prooffe befoze him made of any person offending contrary to the forme and effect of the said statute and arrested and brought to him by any other person, perceiuing any such person to offend, hath power to commit the same offender to the next Gaole, there to remaine vntill such time as the penalty specified in the said Statute shalbe truly paid by the said offender: the one moiety to the Queene, and the other to the first bringer of the said offender to the same Justice. But if the presentment, suit, or punishment for any thing forfeited by the said statute to the Queene, be not commenced, or made within one yere next after the offence committed, the said offender shalbe thereof clerely discharged. 33. H. 8. 6. S. Gunnes.

46 Justices of peace haue power to enquire & determine al the offences committed contrary to the statute provided 8. H. 5. concerning the gilding of Mettall, and other things. 8. H. 5. 3. S. Gold 7.

47 Justices of peace in euery Shire, Riding and other place in their quarter

Breeding of Horses.

Justice of peace.

quarter Sessions, haue authority to enquire of all defaults, contempts, omissions, and offences, committed contrary to the effect of the statute provided 32. H. 8. concerning the breeding of horses of higher stature: And to heare and determine euery presentment found before themselves, or found in any Leetes or Lawdaies, and presented and certified vnto them by the Steward, Deputy, or Courtholder of the same Leete or Lawday, aswell by examination as otherwise. And the one halfe of all forfeitures specified in the said statute shalbe to the D. and the other to the person that will sue for the same, before the same Iustices, by V. J. 32. H. 8. 13. S. Horses 3. 4. 5. 6. 7. 8. 9.

Keeping of
Horses.

48 The Iustices of Assises and Iustices of peace haue power within the limits of their authority, to heare and determine the defaults done contrarie to the statute provided 33. H. 8. concerning the keeping of great Horses, aswell by presentment as by information before them, as in other cases of trespasses and contempts done against the forme of any statutes, and shall set no lesse paine vpon such persons, as shall be conuicted, by confession or triall for offending the said Act, then in the said Act is limited. 33. H. 8. 5. S. Horses 10. 11. 12.

Transporting
of Horses.

49 It is lawfull to the Warden and Wardens of the East, West, and Middle marches for the time being, in their warden Courtes, and to the Iustices of peace in euery Shire aswell in England as in Wales, in their quarter Sessions, to enquire of all offences committed contrary to the Act ordeined 1. Ed. 6. that no Horses should be conueyed out of this Realme and other the Queenes dominions without licence. 1. Ed. 6. 5. S. Horses 14. 15. 16. 17.

Horsebread.

50 Iustices of peace in euery Shire, Liberty, or Franchise within this Realme, haue authority to enquire, heare and determine the defaults and offences of Hostlers and Inholders, baking horsebread, which is not sufficient, lawfull, and of due assise according to the price of corne, and to set such fines, and make like proces thereupon, as they commonly vse to doe vpon presentments of trespasses against the peace. 32. H. 8. 41. S. Inholders 2.

Leather.

51 All Iustices of Assise, Iustices of Gaole deliuery, and Iustices of peace shall enquire, heare and determine in their Sessions, all offences committed within their seuerall precinctes, liberties, and iurisdiccions, contrary to the statute provided 5. Eliz. touching Tanners, Curriers, Shoemakers, and other Artificers occuppying the cutting of Lether, and also shall by their discretions examine all persons suspected to offend the said Act, or any parcell thereof. 5. El. 8. S. Leather.

52 All Iustices of the Kinges Bench, and of the Common place, Iustices of Assises and Gaole deliuery, and Iustices of peace haue power in their Countrey, to enquire, heare, and determine all defaults & offences committed by any person within the limits of their commission, contrary

to the statute provided 23. H. 6. for the leuying, and paying of the wages of the Knights of the Parliament, aswell by enquiry at the Queenes suit, as by action at the parties suit. 23. H. 6. 11. S. Parliament 12. wages of knights of the parliament.

53 Justices of peace in euery place and County, aswell within Liberties as without, haue authority in their Sessions, within the limits of their authority and Commission, to enquire, heare and determine all offences committed contrary to the statute provided 2. and 3. H. and H. against the buying of stolen Horses, as they may doe any other matter triable before them, and euery person that will, may sue for any summe forfeited by the said statute before the Justices of peace. 2. and 3. H. & H. 7. S. Faires. 4. 5. 6. Stollen Horses.

54 Aswell the Justices of Assise for the time being, as also two Justices of peace in euery County, City, Borough, Towne, and Franchise, whereof one to be of the Quorum, haue authority to conuent by processe or otherwise, to the generall Sessions, any person being suspected of any deceitfull getting into his hands, any money, or other things of any other persons, by colour of any false token, or counterfeit letter made in any other mans name, and to commit him to warde, or let him to bayle, vntill the next generall Sessions, and there to be further ordered by their discretions, that is to say, he shall suffer such correction by imprisonment, setting upon the Pillorie, or by any corporall punishment (paines of death except) as shall be appointed by the said Justices. 33. H. 8. 1. S. Counterfeiting &c. Counterfeiting letters, tokens.

55 Justices of peace in euery County, haue power to enquire of al false makers of Arrowheads and Quarels, and to punish them according to the statute in that case provided. 7. H. 4. 5. S. Arrowheads 1. Arrowheads.

56 All and singuler Justices for Assise, and Justices of peace, haue authority to enquire, heare and determine at all and euery their Sessions, all and singuler offences committed by Artificers, Workemen, Labourers, and Vtailleurs, against the statute for them provided 2. Ed. 6. and to punish the offender, according to the tenor of the same statute. 2. Ed. 6. 15 See Artificers. Artificers.

57 Justices of Oyer and determiner, Justices of Assise in their circuits, and Justices of peace in their quarter Sessions, haue authority to heare and determine all offences committed, contrary to the true intent and meaning of the statute provided 18. El. to redresse disorders in common Informers vpon penall lawes. 18. El. 5. 27. El. 10. S. Actions popular 3. 4. 5. 6. 7. Informers.

58 Justices of peace in euery County, haue power to enquire, heare and determine, aswell at the suit of the Q. as of him which will sue, of any thing committed contrary to the Statute provided against Purueitors which will take or buy any thing of the value of xl. s. or vnder, of any of the Queenes liege people, without making ready payment in hand for the Purueitors.

Justice of peace.

the same, against Constables, Tythingmen, and chiefe pledges, which vpon request do not assist the owners to withhold and resist such Puruei-
ors and buyers, and against such of the M. officers, as do procure any of the
Queenes people to be arrested, impleaded, or vexed, for such withholding,
or not suffering &c. and thereof to make due punishment and execution, &
to award damages to the plaintife, when the defendant is duely conuict.
20. H. 6. 8. S. Purueiors 2 2.

Purueiors.

59 Justices of peace haue power to enquire, and hold plea of any of-
fence committed by any of the Queenes Purueiors, or other which do buy
or take Cozne, by any other measure, but by the striked bushell, and eight
of them for the quarter, M. which do take carriage therfore, and do not
make ready payment, and therupon aswell at the M. suit, as at the parties,
to punish them, according to the statute in that case p.rouided. 1. H. 5. 10.
S. Purueiors 1 6.

Purueiors.

60 The Chancelor or his vicechancelor, or Commissarie for the time
being, in either of the Uniuersties of Cambridge and Oxford, with two
Justices of peace, of the Counties wherein the said Uniuersties be set,
haue power to enquire by the othes of xii. men, of, & vpon the defaults and
offences committed contrary to the statutes (ordeining in what cases pur-
ueiors may take vitailles within v. miles of Cambridge and Oxford, and
in what they may not) and to see due punishment and reformation there-
of, according to the said statute 2. & 3. H. & M. 15. 13. Eliz. 21. 35. Eliz.
7. S. Purueiors, 3 2.

Linnen cloth.

61 All and euery Justices of Oyer and determiner, and Justices of
Assises in all their Sessions, and all Justices of Peace in euery Countie,
and place of this Realme, or thzee of them at the least, whereof one to be
of the Quorum, haue power to enquire, heare, and determine in their Ses-
sions, of all persons which doe wittingly vse any deceitfull act or meane
with Linnen cloth, whereby the same is made worse for the vse thereof,
by Information, Indictment, or vpon the Trauerse of any presentment
or indictment found befoze them, or any of them. And the Justices befoze
whom any offence shall be founde, shall certifie the same by estreat into
the Eschequer at Michelmas, as they be bound to do other estreats. And
the Barons of the Eschequer haue power to make procelle for so much
thereof, as by this statute shall appertaine to the Queene. 1. Eliz. 1 2. S.
Linnen cloth 2.

Pewter.
Brasse.

62 The Justices of peace within euery Shire, at the generall Sessi-
ons holden at Michaelmas, shall appoint two certaine persons, hauing
experience in Pewter and Brasse, to make search therein &c. in euery part
of that Shire, aswell within franchise as without, (sauing in Cities or
Boroughs, where searchers be appointed by the gouernors of the same.)
19. H. 7. 6. 4. H. 8. 7. S. Pewterers.

Artillery.
Butts.
Bowes.

63 Justices of Assise, of Gaole deliuey, and Justices of peace haue
power

power to enquire in their Sessions of all and euery branch of the statute provided 33. H. 8. for the maintenance of Artillery, of Butts, and for the making & selling of Bowes, and to heare and determine the same. And also by their discretions to examine all persons lacking & not hauing bowes and arrowes, according to the said statute. 33. H. 8. 9. S. Archerie, Bowes, 3. 4. Butts 1.

64 It is lawfull to all and euery the Iustices of peace in euery Shire, Maiors, Sherifes, Bailifes, and other head officers within euery Citie, towne, & borough within this Realme, from time to time, as well within liberties as without, as neede and cause shall require, to enter and resort into all and euery houses, places, and Alleyes, where unlawfull Games shall be suspected to be vsed contrary to the statute in that case provided, And as well the keepers of the same, as also the persons there haunting, resorting, and playing, to take, arrest, and imprison, and them so taken and arrested, to keepe in prison, vnto such time, as the keepers and maineiners of the said playes and games haue found suerties to the Queenes use, to be bounden by recognisance, or otherwise, no longer to vse or occupy any such house, play, game, alley, or place. And also the persons there found, shall in like case be bound by themselves, or els with sureties, by the discretion of the Iustice, Maiors, Sherifes, &c. no more to play, haunt, or exercise, from thenceforth to any of the said places, or at any of the said games. And all Iustices of peace, Maiors, Sherifes, &c. and euery of them finding, or knowing any person vsing any unlawfull games contrary to the said statute, haue authoritie to commit euery such offender to ward, there to remaine without bayle or mainprise, vntill such time they so offending, be bound by Obligation to the Queenes use in such summe of money, as by the discretion of the said Iustices, Maiors, Bailifes &c. shall be thought reasonable, that they or any of them, shall not from thenceforth vse such unlawful games. And the Iustices of peace shall cause the statute provided against unlawfull Games, and for the maintenance of Artillerie, to be openly proclaimed in their seuerall Sessions before them holden. 33. H. 8. 9. S. Playes and Games.

Unlawfull
games.

65 Iustices of peace in their Sessions, haue power to inquire, of all Attachments made by the Officers of the Courts of the Eastmarches or Westmarches, out of any of the Counties of Westmerland, Cumberland, or Northumberland, or the Towne of Newcastle vpon Tyne, and herein to proceede as they may vpon presentments taken before them in their Sessions, of trespass, or affraies made against the Queenes peace. 1. H. 6. 3. S. Marches 1.

Attachments
in the Mar-
ches.

66 The Iustices of peace of euery Shire, Riding, and liberte, within the limits of their seuerall commissions, or the more part of them, being then resident within the same, and the Shirife of the Countie (if he conveniently may.) And euery Maior, Baylife, or other head Officer, within any

Justice of peace.

Rating of wages.

What workmens wages the Justices may rate.

Sessions kept in several places of the shire for several divisions.

Proclamation of the rates of wages.

any Citie or Towne corporate, wherein is any Justice of peace, within the limits of the said Citie, Corporation, &c. shall verely at every generall sessions, first holden after Easter, or within five weekes next after Easter, assemble themselves together, and calling unto them such graue and discrete persons of the said Countie, Citie, Towne, &c. as they shall thinke meete, and conferring together, respecting the plentie or scarcitie of the time, and other circumstances necessarie, shall haue authoritie within the limits of their seuerall Commissions, to limit, rate, and appoint the wages of Artificers, Handicraftsmen, husbandmen, labourers, seruants, workmen, apprentices of husbandrie &c. as they shall thinke meete to be rated, limited &c. by the yere, or by the pay, weeke, moneth, or otherwise, with meate and drinke, or without, and what wages every workman and labourer shall take by the great, for mowing, making, reaping, or threshing of Corne, and Hay, or for ditching, paling, raling, or hedging by the Rod, Perch, Lugge, Ward, Pole, Rope, or foote, or for any other kind of reasonable labours, or seruice. 5. Eliz. 4. The said Statute, and the authority by the same statute giuen to any person or persons for assessing and rating of wages, and the authority to them in the said Act committed, shall be expounded and construed, and shall by force of this Act giue authority to all persons, hauing any such authority, to rate wages of any labourers, weauers, spinsters, & workmen or workwomen whatsoeuer, either working by the day, weeke, moneth, yere, or taking any worke at any person or persons hands whatsoeuer, to be done. And the most Justices of P. or the more part of them resident in such diuision in any Shire within this Realme, wherein diuers shires within this Realme, the Justices of P. haue not vsually kept their generall Sessions in one place of the Shire together, but the generall Sessions haue bin kept in several places for seuerall diuisions, shall at the same Sessions, or at such time of rating of wages, as is limited by the said Act made Anno 5. Elizab. haue as full authority and power, to rate all manner of wages to be rated within the limits of such diuision in any such Shire, as if the same were done in the generall Sessions for the said Countie, or by the most part of the Justices, meeting for the rating of wages by the said Act. And after the rates made for wages, and ingrossed in parchment vnder their handes and seales of them hauing authority to rate the same, it shall and may be lawfull to the Sherife of the said Countie, or to the Maior or chiefe Officer or Officers of any Citie or Towne corporate, to cause proclamation to be made of the seuerall rates so rated, in so many places within their authorities, as to them shall seeme conuenient, and as if the same had bin sent downe Printed by the Lord Chancellor or Keeper, after declaration thereof to her Maiesty, and Certificate of the same into the Court of Chancery, & every person & persons shall be bound to obserue the said rates in giuing & receiuing wages, vpon the paines & punishments mentioned in the said Act,

Act, and to be recovered, or punishment inflicted, as in the said Act is mentioned. No person or persons shall incur any danger or penaltie, for not making certificate into the Chauncery, of any rates of wages appointed to be certified by the said Act made in the said Anno 5. Eliz. But the said rates ingrossed in parchment and sealed as aforesaid, shall if the same be in any shire, be kept by the Custos Rotulorum of the said Countie amongst the Records in his custody for the said Shire: And in any Citie or Towne corporate, amongst the Records of the said City or Towne corporate. 39. Eliz. 12. To continue till the end of one yere next after the next Session of Parliament.

The rates of wages sealed, ingrossed and kept by the Custos Rotulorum.

67 If all the Justices of peace resident within the Counties where they be Justices, and the Maior, head Officers &c. do not yerely assemble at the generall Sessions holden after Easter, or within sixe weekes next after, and limit and rate the wages of Seruants and Labourers, or shall not consider whether the former Rates made, be meete to be continued, or to be altered and reformed, or be negligent in the certificat thereof: Then euery such Justice, Maior, &c. in whom any such default shall be found, being within the said County, Citie, Towne, &c. at the time of the said Sessions, or at the time of the said Rates of wages to be set, within vi. weekes next after such Sessions, and not visited with any such sicknes, as he could not trauele thither without danger of his life, or not hauing any other good excuse to be allowed by the Justices then assembled for the rating of wages, or by the more part of them (vpon a corporall oth, and Affidauit, to be openly taken before the Justices vpon the holy Euangelists, by some credible person assessed in the booke of Subsidie of that Countie to v.li. at the least, or by such other person, as the most part of the Justices shall allow to take such oth) shall forfeit for euery such default and negligence vnto the Queene x.li. 5. Eliz. 4.

All the Justices shall assemble at the rating or altering of wages.

68 The Justices of peace of euerie Countie, diuiding themselves into severall limites, and euerie Maior and head Officer of any Citie, Towne corporate &c. shall yerely betweene the feasts of S. Michael, and the Nativitie of our Lord, and betweene the feastes of the Annunciation of our Ladie, and of S. Iohn Baptist, by all such waies and meanes, as to their wiledomes shall be thought meete, make a speciall and diligent inquiry of the branches and articles of the Statute made 5. Eliz. for Artificers, Labourers, Seruants of husbandrie, and Apprentices, and of the good execution of the same, and where they shall find any faults, to see the same severely punished without fauour, malice or displeasure. And the said Justices or two of them, wherof one to be of Quorum, and the Presidents and Counsell established in the Marches of Wales, and the North, and Maior and head Officers of euery Citie, Towne corporate &c. haue power to heare and determine all offences committed against the foresaid Statute, or against any branch thereof, as well vpon Indictment to be taken before

Inquire of the execution of the statute of Labourers.

Iustice of peace.

Every Justice
allowed v. s.
a day.

before them in the Sessions of the peace, as vpon action of debt, or bill of complaint, to be sued by any person, and shall and may make proces against the defendant, and award execution, as in other cases they may, and shal certifie the estreates in Michaelmas Terme into the Eschequer, in like sort as they be bound to certifie the estreates for other offences. And euery Justice of peace, Maior, Bailife, and head officer, shall haue for euery day that he shall sit, in, and about the execution of this statute allowed vnto him v. s. of the fines and forfeitures of the penalties due to the Queene by force of the said Statute in such maner, as the said Justices haue bin commonly paid for their comming and charges at the quarter Sessions, so that the sitting of the said Justices, Maior, &c. be not at any time aboue three daies, for the matters contened in this statute, 5. Eliz. 4. S. Labourers.

High wayes.

69 The Justices of peace of euery place or Countie, in default of inquirie or presentment therof made within the precinct of any Leete, haue authoritie to enquire of all the offences committed within the limits of their commission, contrary to the statute provided 2. & 3. H. and M. for the amending of High wayes, at their quarter Sessions, and to aslesse such fines therfore, as they or two of them, whereof one to be of the Quorum, shall thinke meete: And the Clerke of the peace shall make estreates indented, of the fines, forfeitures and amerciaments, for the defaults presented before the said Justices, and shal deliuer the one part thereof sealed and signed by him to the Bailife or high Constable of euery Hundred, Rape, Lath, or Clapentake, wherein the defaults shall be presented, and the other halfe, to the Constables and Churchwardens of the Parishes wherein the defaults were made, to be verely deliuered within vi. weekes after the feast of Saint Michael. 2. and 3. H. and M. 8. 5. Eliz. 13. And the Superuiseur appointed for the amending of Highwayes, within one moneth after any offence committed contrarie to the true meaning of either of the said Statutes, shall present euery such offence to the next Justice of peace for the time being, which Justice shall certifie the same presentment at the next general Sessions within the said Countie, vpon pain to forfeit for euery offence not certified v. li. And the Justices of peace of euery Countie where such offences shall be committed, haue authoritie to enquire thereof, within the limits of their Commissions, at euery their quarter Sessions, and to aslesse such fines for the same, as they or two of them (whereof one to be of the Quorum) shall thinke meete. And euery Justice of peace hath authoritie vpon his owne proper knowledge, in the open generall Sessions, to make presentment of any High way not well and sufficiently repaired, or of any other default, or offence committed within the limits of his Commission, contrarie to the prouision or intent of either of the foresaid Statutes, and euery such presentment shall be as good, and of the same force in the Lawe, as if the same had bin presented
and

and adiudged by the othes of xii. men, And for euery default so presented, the Iustices of peace of the said Countie, shall immediatly at the said generall Sessions, asseſſe such fines, as to them or two of them, whereof one to be of the Quorum, shall be thought meete, sauing to euery person touched by such presentment, his lawfull trauerse to the same presentment, as they might haue vpon any indictment of trespassse, or forcible entrie by the lawes of this Realme. 5. Eliz. 13. And al and euery Iustices of Assise, Iustices of Oyer and terminer, and Iustices of peace, in their sessions, shall heare and determine euery offence, matter & cause, that shall grow or arise by reason of the statute prouided 18. El. for the amending of Highwaies 18. Eliz. 9. S. High waies.

70 The Iustices of peace, of euery Shire of this Realme, Fraun-^{Bridges.} chise, Citie, or Borough, or foure of them at the least, whereof one to be of the Quorum, haue power to enquire, heare and determine in the generall Sessions, of all maner of anoyances of bridges broken in the highwaies, and of all anoyances of highwaies, which lie next adioynning to the endes of Bridges, and being distant from the said endes CCC. foote, to the damage of the Queenes people, and to make such procelle and paines vpon euery presentment befoze them made, for the reformation of the same, against such as ought to be charged for the making or amending of such Bridges or Highwaies, as the Queenes Iustices of her Bench vse commonly to doe, or as it shall seeme by their discretions necessarie and conuenient for the speedy amending of the same, And where such decayed Bridges or Highwaies lie in one Shire or Riding, or within a Citie or Towne corporat, and such persons, bodies politique, lands or tenements, which ought to be charged to the making and amending thereof, lie and abide in another, or out of the said Citie or Towne corporate, the Iustices of the Shire, Citie, or Towne corporate, within which the sayd decayed Bridges or high waies, or any part thereof shall be, haue power to enquire, heare, and determine all anoyances within the limits of their Commissions, and to make Prozesse into euery Shire within this Realme, against such as ought to amend such Bridges or High waies, presented befoze them to be decayed, and to do further in euery behalfe, as they might doe by this Act, in case the persons lands &c. which ought to be charged were in the same Shire, Riding, Citie or Towne corporate where the anoyance is. The Iustices of peace or iiii. of them at the least, whereof one to be of the Quorum, of the shire, Riding, or of the Citie, Towne corporat &c. shall call befoze them the Constables, or two inhabitants of euery Towne and Parish, within the Shire, Riding, Citie or Towne corporat as well within Liberties as without, wherein such bridges, or any part thereof be, & with their assent, shall take euery inhabitant in euery such Citie, parish or towne, to such summe of money, as they shall thinke conuenient for the amendement of decayed bridges, where it cannot be knowne
and

Iustice of peace.

and proued, what persons lands, tenements, or bodies politique ought to reparaire the said Bridges, & the said Iustices shall appoint two Collectors for the gathering of the money so taxed, and two Surueiours to see the decayed bridges repaired, and shall call the same Collectors and Surueiours to accompt. 22.H.8.5.S.Bridges 2.3.4.

Alehouses.

71 The Iustices of peace of euery Shire, Citie, Borough, Towne corporat, Franchise or Liberty, or two of them at the least, whereof one to be of the Quorū, shall haue au. hority within the limits of their iurisdiction, to discharge common selling of Ale and Beere, in common Alehouses and tippling houses in such Townes and places, where they shall thinke meete, And none shal keepe any common Alehouse &c. but such as shall be admitted in the open Sessions, or by two Iustices, whereof one to be of the Quorum, which shall take band and suerty by Recognisance of such as be admitted, against vsing of vnlawfull games, and for the maintenance of good order, and for the making of euery such recognisance shal take but twelue pence. And the Iustices where such Recognisance shall be taken, shall haue authority in their quarter Sessions to inquire by presentment, information or otherwise by their discretion, of all such persons as be allowed to keepe Alehouse &c. & that be bound by recognisance, if they haue done any Act, whereby they haue forfeited the same, and to award proces against euery person so presented, or complained vpon, to shew why he should not forfeit his recognisance, and to determine the same, as by them shalbe thought good, And they shall commit euery person to the common gaole of the same Shire, Citie, Borough, &c. which keepeth common Alehouse, being not admitted in forme abouesaid, or commanded to the contrary, there to remaine for three daies, and before his deliuerance, shall take recognisance of him with suerties, that he shal not keepe any common Alehouse. And the said Iustices shall make certificat of euery such Recognisance & offence, at the next quarter sessions, which certificat shalbe a sufficient conuiction in law of the same offender. And if any Iustice of peace do take a recognisance of one which is allowed to keepe a common Alehouse or tippling house, against the vsing of vnlawfull games, & for the maintenance of good order, & doe not certifie the same at the next quarter sessions to be holden within the same Shire, Citie, Borough, Towne corporate franchise or libertie &c. he shall forfeit to the Queene for euery offence iii li. vi. s. viii. d. 5. Ed. 6. 25. S. Alehouse.

Certificat of
recognisance
for Alehouse.

Iustices of P.
shall enquire,
heare, & deter-
mine the offen-
ces.

72 The Iustices of peace within the Counties of Yorke, Lancaster or any other the Counties on the North side of Trent, in their quarter Sessions, shall and may enquire, heare and determine, euery fault or offence made or done, contrary to the Act made Anno 39. Eliz. against the deceitfull stretching and tainting of Northerne cloth or any thing therein contained, except the offences committed, and forfeitures made by the Iustices of peace, by presentment, bill, or information, and vpon prooffe thereof

made

made by the testimonie of two sufficient witnesses openly given to the Jurie, & thereupon presentment made by the Jurie, to give order for the execution of the said statute, and every clause therein contained, & for the recoverie of the penalties in the said statute mentioned, to the uses in the same rehearsed. And the Justices of Assise, shall and may inquire, heare, and determine every fault or offence, made or done by any Justice of peace, contrarie to the said Act, in neglect of their duetie, in, or about, touching or concerning the execution of the said Act, and upon proove thereof made by two sufficient witnesses, and by the presentment of the Jurie, shall, and may give order for recoverie and imployment of the penalties & forfeitures by them committed and made to the uses aforesaid. 39. Eliz. 20. S. Draperie 118. &c.

Justices of Assise shall inquire heare & determine the offences of the Justices of peace.

73 It shall and may be lawfull, to, and for the Justices of peace of any Countie or Citie in this Realme, or the dominions of Wales, assembled at any quarter Sessions of the peace within the same County, Citie, Borough, or towne corporate, or the more part of them, to set downe order to erect, and to cause to be erected one or more houses of Correction within their severall Counties or Cities: for the doing & performing whereof, & for the providing of Stockes of money, and all other things necessarie for the same, and for the raising & governing of the same, and for correction & punishment of offenders thither to be committed, such orders as the same Justices, or the more part of them shall from time to time take, reforme, or set downe in any their said quarter sessions in that behalf, shall be of force, and be duely performed & put in execution. 39. El. 4. S. Vagabondes 1.

Houses of correction.

74 Any two or more Justices of the peace within all the severall shires, cities, boroughes, or townes corporate, (whereof one to be of the Quorum) shall have full power to heare and determine all causes that shall grow or come in question by reason of the Act provided for punishment of Rogues, Vagabondes, & sturdie beggers. 39. El. 4. S. Vagabondes.

Vagabondes.

75 The Maiors, Bailifes, or other head Officers of every corporate towne within this Realme, being Justice or Justices of peace, shall have the same authoritie within the limits & precincts of their Corporations, as well out of Sessions, as at their Sessions, as is herein limited, prescribed, & appointed to any of the Justices of peace of the Countie, for all the uses & purposes in the Act prescribed, for the reliefe of the poore, & no other Justice of peace to enter or meddle there. 39. El. 3. S. Poore.

76 The Justices of peace within any Countie of this Realme, or Wales, shall not intromit or enter into any Citie, borough, or townes corporate, where be any Justice or Justices of the peace for any such Citie, Borough, or towne corporate, for the execution of any branch, article, or sentence of the Act provided for punishment of Rogues, Vagabondes, and sturdie Beggars, for, or concerning any offence, matter, or cause, growing or arising within the precincts, liberties, or jurisdictions of such citie,

Vagabondes.

Justice of peace.

borough, or townes corporate. But it may, & shall be lawfull to the Justice, & Justices of the peace, Maiors, Bailifes, and other head Officers of those citie, boroughes, & townes corporat where there be such Justices of the peace, to proceed to the execution of this Act, within the precinct & compasse of their liberties, in such maner & forme as the Justices of peace in any Countie may or ought to do within the same Countie, by vertue of this act, any thing &c. 39. El. 4. S. Vagabondes &c.

Reliefe of
Souldiers
& Mariners.

77 The Justices of peace of euery County within this Realme, within their seuerall limits at their quarter Sessions, or the moze part of them there assembled, shall haue authoritie yeerely to elect, nominate, & appoint of themselves, or other sufficient men of the same Countie, valued by yeere in the Subsidie booke at x. pounds in lands, or xl. pounds in goods at the least, Treasozers for the collection of the reliefe of Souldiers & Mariners, which Treasozers so in euery Countie to be chosen, shall continue, doe, performe, & giue by their charge, in such sort, maner, & forme, and for such time as is set forth by the Act made 35. Eliz. 4. and vnder such, and the like penalties. 39. Eliz. 21. S. Captaines &c. 18. 19. 20. 22. 23.

Bruers.

78 The Justices of peace of euery Shire, where any Ale buyer, or Beere buyer doth dwell, (out of a Citie, Borough, or Towne corporat, or other place where no head Officer haue any rule) haue power to selle and take by their discretions, the prices of euery barrell, kilderkin, or firkin of Beere and Ale. And the Ale and Beere Bruers shall not sell their Ale and Beere at any higher prices, then shall be to them by the said Justices assigned. 23. H. 8. 4. S. Bruers 2.

Vessels.

79 The prices of all barrells, kilderkins, firkins, and other vessels to be sold for Ale, Beere, or Sope, to be vttered therein, (where such vessels shall be made or sold, out of any citie, borough, or towne corporat) shall be taxed by the Justices of the peace, or the moze part of them, being present in the quarter Sessions yeerely next after Easter, at such prices as they shall thinke reasonable. 8. El. 9. S. Cowpers 1.

Attornies.

80 The Justices of peace within the Counties of Suffolk, Norffolk, & the Citie of Norwich, haue power to inquire in their Sessions, of any persons which presume to be Attornies in any Courts of record, in the said Counties or Citie, otherwise then is appointed by the statute in that case provided. 33. H. 6. 7. S. Attorney 14.

Keepers of
Ferries and
passages.

81 The Justices of peace within the Counties of Gloucester and Somerset, at their quarter Sessions, haue authoritie to call before them al such persons which do keepe any Ferry or passage ouer the riuer of Seuerne into Wales, or the Forrest of Deane, or out of Wales, or the said Forrest into England, & to bind them with sufficient suerties with them in recognisance, in such summes of money, as it shall seeme to the discretion of the said Justices, that they & euery of them, being Passengers, and keepers of Ferries & passages, shall not after the Summe being set at the

wight,

night, or before the Sunne rising in the morning, conuey, or carry, or cause to be couzied or carried, any maner of person or persons, or any kind of cattel, but such persons as they do know, & will aunswer for, & to know where their abydings, dwelling, and habitations be, and vpon request made to them, or any of them, shall from time to time disclose, aswell the same person or persons, as the goods & cattels so passing the said passages, vpon fresh suit made vpon any felonie, murder, or robberie committed in the borders of the said counties of Gloucester & Somerset, or in any other place within England, or South Wales. 26. H. 8. 5. S. Boates &c. 12.

82 The Iustices of peace, or two of them at the least, of the Shire Duerseers
of Cloth. where any Towne, Village, or Hamlet not corporat is, where any Cloth shall be made or sold, haue full power once euery yeere, to call before them by their precept, or otherwise, ii. iiii. vi. viii. or moe, (as they shall thinke good by their discretion) of the most honest, discrete, & indifferent men of euery such towne, village, or hamlet, where any Cloth shall be made or sold, and then shall appoint to be Duerseers for one whole yeere then next following, within the towne, village, or hamlet, where the same Duerseers shall be dwelling, charging them also vpon their othes, and as they do tender the honour and common wealth of the Realme, that they do indeuour themselves for that yeere, to see the statute provided 3. Ed. 6. for the true making of wollen Cloth, to be obserued within the limits of their charge. 3. Ed. 6. 2. S. Draperie 71. 72. 73.

83 If any person which shall retaille any of the Clothes, kerseies, fri- Faultie Cloth. zes, rugges, or cottons, of the seuerall makings specified in the statute provided 5. Ed. 6. for the true making of wollen Cloth) do present any Cloth which is defectiue or faultie, vnto two Iustices of peace next adioyning, out of a Citie, Borough, or Towne corporat, where such cloth shall be found faultie, the same Iustices shall cause the same Cloth to be cut into iii. equal peeces, wherof the D. shal haue one, the presentor one other, and the third they shall retaine to themselves. 5. Ed. 6. 6. S. Draperie 34.

84 Euery Iustice of peace of the Countie where any Souldier shall Souldier. be found, which shall giue, wilfully purloine, exchange, or put away any Horse, Mare, Gelding, or Harneis wherewith he shall be set forth, shall commit the said souldier to ward, vntil he hath satisfied the partie griued for such horse, harneis &c. so lost, purloined, &c. except the same souldier were imprisoned for the same offence before by the Lieutenant, Captaine &c. or their deputies, and made restitution. 2. Ed. 6. 2. S. Captaine 1.

85 The Iustices of peace of euery Shire haue authoritie to inquire The number
of Sheepe. of the offenders of the statute made 25. H. 8. (limitting what number of Sheepe men shall keepe, and haue at one time) aswell by the othes of xii. men, as by information of the Queenes subiects, and to make such like proces vpon euery presentment or information concerning the said Act, & they vse commonly to do vpon presentments before them of trespasses,

Iustice of peace.

and no person being convicted by confession, or otherwise, that he hath done or attempted, contrarie to the said Act, shall be put to any lesse fine, then after the rates of the forfeiture limited by the said Act. 25. H. 8. 13. S. Sheepe 3. &c.

Coroners.

86 The Iustices of Assises & Iustices of peace, within the Countie where any default of a Coroner is, (which vpon request to him made, to come and inquire of any person slaine, drowned, or otherwise dead by misadventure, doth not his office therein diligently, or taketh any thing therefor) haue power to inquire thereof, and to determine the same, aswell by examination, as by presentment. 1. H. 8. 7. S. Coroners 16.

Escheators.

87 Iustices of peace haue power to heare and determine, vpon presentment made before them in their Sessions, all forfeitures committed by Escheators, in selling, or letting to farme their Offices, or making any deputies, but such for whom they will answer, contrarie to the statute in that case provided: In which presentment, like proces shall be had, as is vsed vpon indictments of trespassse done with force & armes against the Queenes peace. 12. E. 4. 9. S. Escheators 12.

Shirifes.

88 Iustices of peace, and other Iustices haue power to hold plea, of any suit, commenced by any person against the Shirife, or any of his ministers, which by force of the Estreates of the Exchequer, do leuie the Queenes debt of him, and do not Tot the same which is paid, whereby the debt is an other time demaunded of the same person. 42. Ed. 3. 9. S. Estreates 1.

Defaults of Shirifes.

89 Where Iustices, or a Iustice of peace, vpon complaint to him or them made of any forcible entrie into lands or tenements, or of detaining thereof with force, do direct their precept to the Shirife to returne sufficient and indiffernt persons dwelling about the said lands, to inquire of such entries: If the said Shirife or Bailife of franchise hauing returne of wits, be slacke and do not duely execute the said precepts to them directed, then aswell the said Iustices, or Iustice, as the Iustices of Assise, & euery of them, at their comming into the Countrey to take Assises, haue power to heare and determine such defaults and negligences of the said Shirifes and Bailifes, aswell by bill at the suit of the P. grieved for himselfe, as by indictment onely for the Q. And if the Shirife or Bailife be attainted by indictment, or bill, he which sueth for the Queene & himselfe shall haue the moitie of xx. li. (which the offendour shall forf.) together with his costes and expences, and the proces against the offendour shall be as in trespass, vi & armis. 8. H. 6. 9. S. Force 2.

Extorcion of Shirifes.

90 Iustices of Assises in their Sessions, Iustices of the one Bench and of the other, and Iustices of peace in their Countrey, haue power to inquire, heare, & determine all the extorcions, and other offences committed by Shirifes, Undershirifes, Coroners, Bailifes of Franchises, and their ministers, contrarie to the statute for them provided. 23. H. 6. in an articl

article of point of the same Statute. 23. H. 6. 10. S. Jurors 10. Shirifes 5. 6. 7. 8. 9. 10. 11.

91 Justices of Oyer and determiner, Justices of Assises in their circuits, and Justices of peace in their Sessions, haue authoritie to inquire, heare, and determine, of all and singular offences committed against the Statute prouided 37. H. 8. against Usurie. 13. El. 8. S. Usurie 1. 2. 3.

92 Two Justices of peace, (whereof one to be of the Quorum) haue ^{Waights and} authoritie, as well by examination, as by inquirie, to heare and determine ^{Measures.} the defaults of the head Officers of Cities, boroughes, & Market townes, which do not cause twise in the peere at the least, all Waights & Measures therein to be brought before them, & the defectiue to be broken and burnt. And also of all buyers and sellers, which do not buy and sell with waights and measures, which be lawfull, and to set fines & amerciaments vpon the offenders, according to their discretions. 11. H. 7. 4. And also Justices of peace haue power to inquire of falsifiers and counterfeiters of false Waights, & to imprison, and in prison to hold them, vntill they be attained, or acquitted, and if they be attained, they shall remaine in prison vntill they haue made fine by the Justices discretion. And they shall inquire of, heare, and determine the same, so often as they shall thinke needfull. 9. H. 5. 8. S. Waights 9. 10. 13.

93 All Justices of peace, within the limits of their commission, haue ^{The egges of} authoritie to inquire, heare, and determine the offences of all those, which ^{wildfoule.} shall willingly purloine, destroy, or conuey away the egges of any kind of Wildfoule, from the nest or place where they shall be laied by the same Wildfoule, like as they commonly vse to doe in cases of trespassse. 25. H. 8. 11. 3. Ed. 6. 7. S. Wildfoule.

94 Justices of peace in euery shire of this Realme, within the limits ^{wines.} of their commissions, aswel within franchises as without, haue authoritie to examine, heare, inquire, and determine the defaults of such as shall attempt to sell any Wines in grosse, or by retaille, contrarie to the Statute made 28. H. 8. limittting the prices of wines, & to punish the offenders by imprisonment, or otherwise by their discretions. 28. H. 8. 14. S. Wines 1. 2.

95 The Justices of peace of euery Countie, Citie, and Towne ^{wines.} corat in their seuerall Sessions, haue authoritie to inquire by the othes of xii. lawfull men, of all & euery offence & offences done contrarie to the Statute (made 7. Ed. 6. to auoide the great prices and excesse of Wines.) And euery inquirie & presentment taken, and had, by the othes of xii. lawfull men, shall be of such force, as if the same were taken or had in the Kings Bench. And euery of the paines, penalties, and forfeitures due by force of the said Act, for any offence committed contrarie to the fourme thereof, as shall be found by presentment, before the said Justices (no bill, plaint, action, or information thereof commenced in any of the Queenes Courts of record) shall be equally deuided into two parts, whereof the one

Justice of peace.

shall be to the Queene, her heires & successors, and the other to the poore people of the towne or place where such presentment shall be found. 7. Ed. 6. 5. S. Wines 6. 7. 8. 9. 10. 11.

Maintenance
of the Maie.

96 All Justices of peace in their Sessions, within the limits of their commissions, haue authoritie to inquire, aswell by the othes of twelue men, as otherwise by information, and thereupon to heare and determine all and singular such offences as shall be done in the land, or within any hauens, or peere, contrarie to the statute provided 5. El. touching certaine politike constitutions made for the maintenance of the Maie, or contrarie to the statute provided An 27. Eliz. against the uttering or putting to sale flesh vpon certaine dayes prohibited, and if any person shall be presented before the said Justices within the limits of their authorities, or any information giuen to them of any offender of the said Actes, then they haue authoritie, vpon such presentment or information, to make proces against the offenders, as is commonly used vpon indictments of trespassse. And if any be presented, and afterward convicted by confession, or otherwise, then he shall suffer no lesse punishment, or forfeiture, then in the said statutes is limited: For the leuying of the which forf. the said Justices within the limits of their commissions, haue authoritie to make such proces as they shall thinke good by their discretions. But no information at the suit of any person concerning the said Actes, shall be of effect to put any person to answer, or forfeiture, except the same be commenced within halfe a yeere after the offence done: Nor any information or presentment for the Queene shall be of effect &c. except the same be within one yeere after the offence committed, contrarie to the said Acts. 5. El. 5. 27. El. 11. 35. El. 7. to continue till the end of the next Parliament now next ensuing. S. Fish daies 2. Shippes 1. 2. 3. 4. 5.

Tylemakers.

97 The Justices of peace, within any Countie of this Realme, and euery of them haue power to inquire, heare, & determine the defaults and offences committed (contrarie to the statute provided 17. Ed. 4. for the true making of Tyle.) And if it be found, or may appeare to the said Justices, or any of them, by examination or otherwise, that any person hath offended contrarie to the said Act, then the same Justices shall asseste vpon the offender no lesse fine, then in the said statute is limited, And the same Justices haue power to assigne expert persons, in the occupation of Tyle making, to search and examine the making thereof. And euery presentment made by the said searchers of any defaults, before the said Justices at their next Sessions, shall be as effectuell in the law, as the presentment of twelue men. And the Justices haue power to examine, inquire, and determine the defaults of searchers, in like maner, as they haue of Tyle-makers. 17. E. 4. 4. S. Tyles.

Regrating
of Woolls.

98 Justices of peace in their open Sessions haue authoritie, vpon information, to heare, and determine the offences of Wooll diuers, or wooll buyers,

buyers, inhabiting within the Parish of Halifax, which shall sell their wools at any other place, south of the Towne of Halifax. And also of all such as shall buy their Wools at Halifax, and sell them againe wrought in parne, or cloth, & to make proces against the offenders, as in other cases to be determined before them. 2. & 3. P. and M. 13. S. Woolles 5.

99 Justices of Oyer and determiner, within the limits of their commission, Justices of Assises in their circuits, and Justices of peace aswell within liberties as without, within the limits of their commission, shall have full power and authoritie, to inquire, heare, and determine, all and euery offences committed, or to be committed within their seuerall limits, circuit, or precinct of their commission, or commissions, (contrarie to the statute made 27. El. for the leuying of Issues lost by Jurores) & to award south proces of execution for the leuying of the said forfeitures. 27. El. 7. 39. El. 18. S. Jurors 33. 34.

Admissions of
Jurores and
their Issues.

100 The Justices of Assise, and Justices of peace, in their open Sessions, shall have full power within the limits of their authoritie, to heare, and determine the defaults done (contrarie to the statute provided 27. El. for the swearing of Under-shirifes, and other Officers) aswell by presentment & information, as indictment. And vpon conviction of the offenders to award execution for the leuying of the forfeitures, by Fieri facias, or by Attachment, Capias, or Exigent. 27. El. 12. S. Shirife 35. 36. 37.

Swearing of
Under-shirifes.

101 All Justices of Assises, & Justices of peace in their open Sessions, and euery Lord within the precinct of his Leete, & none others, shall have full power and authoritie within their seuerall limits and iurisdiccions, to inquire of, heare and determine all offences committed (contrarie to the Act made Anno 31. El. against erecting and maintayning of Cottages, and Innates, aswell by Indictment as otherwise by presentment or information, and to award execution for the leuying of the seuerall forfeitures in the said statute limited, by Fieri facias, Elegit, Capias, or otherwise, as the cause shall require. 31. El. 7. S. Cottages 1. Leetes 19.

Cottages.
Innates.

102 Two Justices of peace, whereof one to be of the Quorum, in or Bastards. neere vnto the limits where the parish Church is, within which Parish any Bastard begotten and borne out of lawfull matrimonie shall be borne, (vpon examination of the cause and circumstance) shall and may by their discretions, take order, aswell for the punishment of the mother, & reputed father of such bastard childe, and also for the better reliefe of euery such Parish in part or in all. And shall and may likewise, by like discretion, take order for the keeping of euery such Bastard childe, by charging such mother or reputed father with a payment of money weekly, or other sustentation for the reliefe of such child, in such wise as they shall thinke convenient. 18. El. 3. S. Bastardie 1.

103 If any person to whom any Agnus Dei, Crosses, Pictures, or Beades shall be offered, do bring the partie that made him that offer, to a

Certificat of
Agnus dei,
Crosses, &c.

Justice of peace.

Justice of peace of that shire, or within three daies after such offer made, doe disclose to him the name of the partie, his dwelling or place of resort, & if the same Justice doe not within 14. daies next after any such matter shal be shewed vnto him, declare the same to one of the Q. priuy Counsel: The the Justices shall incurre the danger, paine and forfe. of Premunire provided 16. R. 2. 13. El. 2. S. Rome 5, 6.

Tithes.

104 Two Justices of P. whereof one to be of the Quorum, vpon information, certificat, or complaint, to them made in wryting by any Ecclesiastical Judge, that gaue sentence against any person, which obstinately, and willfully refused to pay his tithes or such summe of money, wherein he was condemned for the same, haue authoritie to cause the same party to be attached, and committed to the next gaole, vntill he haue found sufficient suerty to be bound to the Queene, to performe the same sentence. 32. H. 8. 7. And the like authoritie haue any of the Queenes Counsell or two Justices of peace, whereof one to be of the Quorum &c. vpon the Ecclesiastical Judges request, for any contempt, contumacie or other misdemeanour of the partie defendant in any suit for subtraction of tithes, offerings, or other dueties of the Church vntill he haue found suertie, vt supra &c. 27. H. 8. 20. S. Tithes. 22.

Horse stealing.

105 The Justices of peace of euery place and Countie, as well within liberties as without, shall haue authoritie in their Sessions within the limits of their authoritie and commission, to inquire, heare, & determine all offences committed against the statute provided An 31. Eliz. to auoide Horse stealing, as they may doe any other matter triable before them. 31. El. 12. S. Faires &c. 7. 8.

Certificat of recognisance.

106 Euery Justice of peace, within this Realme, that shall take any recognisance for the keeping of the peace, shall certifie, send, or bring the same recognisance at the next Sessions of peace, where he is, or hath bin Justice, that the partie so bound may be called. And if the partie make default, the same default, then there to be recorded. And the same recognisance with the record of that default, shall be sent, and certified into the Chauncery, the Kings Bench, or into the Eschequer. 3. H. 7. 1.

Bailement of offenders.

107 No Justice, or Justices of peace, shall let to baile or mainprise any such person or persons, which for any offence by any of them committed be declared not to be repleuied, or bailed, or be forbidden to be repleuied or bailed by the statute made 3. Ed. 1. Nor any person arrested for manslaughter, or felony, or suspicion of manslaughter, or felony, beingailable by the law, shall be let to baile or mainprise by any Justice of peace, if it be not in open Sessions, except it be by two Justices of peace at the least, whereof one to be of the Quorum, And the same Justices to be present together at the time of the said bailement or mainprise: which bailement or mainprise they shall certifie in wryting, subscribed or signed with their owne hands, at the next general gaole deliuerie, to be holden within the

the Countie where the persons shall be arrested or suspected. And the said Iustices or one of them, being of the Quorum, where any such prisoner is brought before them, for manslaughter or felony, before any bailment or mainprise, shall take the examination of the prisoner, and information of them that bring him, of the fact, and circumstances thereof. And the same, or as much thereof as shall be materiall to prooue the felonie, shall put in writing, before they make the bailment, which examination, together with the bailment, the said Iustices shall certifie at the next generall gaole deliuerie, to bee holden within the limites of their commission, And also the said Iustices haue authoritie to bind all such by recognisance, or obligation, as doe declare any thing materiall to prooue the said manslaughter or felonie, to appeare at the next generall gaole deliuerie to be holden within the Countie, citie, or towne corporat, where the triall thereof shall be, then and there to giue euidence against the partie so indicted, at the time of his triall, & shall certifie euerie such band taken before them at the next generall gaole deliuerie. And if any Iustice of peace, or Quorum shall offend in any thing contrarie to the true intent & meaning of this Act, the Iustices of gaole deliuerie of the Shire, Citie, Towne, &c. where such offence shall be committed, vpon due prooffe thereof by examination before him, shal for euerie offence, set such fine vpon euery of the same Iustices of peace, as the same Iustices of gaole deliuerie shall think meete. But the Iustices of peace, & Coroners in London & Middlesex, & other Cities, Boroughs & Townes corporat in England & Wales, haue authoritie to let to baile felons & prisoners, as they haue bene heretofore accustomed, But they shal take examinations & bands as is aforesaid, vpon euerie bailment, by any of them made, and shal certifie them at the next gaole deliuerie, to be holden within the Shire, Citie, Borough, &c. vnder the foresaid paine, &c. 1. and 2. Phil. and M. 13. S. Mainprisc. 52.

108 In like sort euerie Iustice or Iustices of peace, before whom any person shall be brought for manslaughter or felonie, or for suspicion thereof, before he or they shall commit such prisoner to ward, shall take the examination of such prisoner, and information of such as bring him, of the fact, and circumstances thereof, and the same, or as much thereof as shall be materiall to prooue the felonie, shall put in writing within two daies after the said examination, and the same shall certifie in such maner and forme, and at such time as they should and ought to do, if the prisoner had bene bailed, or let to mainprise, vpon such paine, as in the former statute is expessed, for not taking or not certifying examinations. And the said Iustices haue authoritie to bind all such by obligation or recognisance, as do declare any thing materiall to prooue the manslaughter, or felonie, to appeare at the next general gaole deliuerie, &c. to giue euidence, &c. and shal certifie the said bonds at the next generall gaole deliuerie. Vt supra. 2. and 3. P. and M. 10,

Imprisonment
of offenders.

Iustice of peace.

Watermen.

109 The Iustices of peace, within the shires next adioynning to the riuer of Thamis, betwixt Grauesend and Windsor, within their seuerall iurisdictiones, haue authoritie vpon complaint made vnto them, or any of them, by the eight ouerseers of watermen, or two of them, or by the master of any seruant being a waterman, to examine, heare, and determine all complaints & offences, committed by any such person, that shall offend contrary to the true meaning of the Statute prouided, 2. and 3. H. and M. for watermen vpon the riuer of Thamis, & to set at libertie euery person imprisoned by the said ouerseers, if iust cause shall appeare vnto them so to doe, And to correct the said ouerseers, that shall without good cause punish any person, by colour of the said Act. 2. & 3. H. & M. 16. S. Boates 2.

One commissiō of the peace shal not be a supersedas to another.

110 All and singular Commissions granted, or to be granted to any citie, or towne corporat, not being a countie in it selfe, for the keeping of their peace, and deliuerie of the prisoners remaining in the gaoles of anie such citie or towne corporat, shal remaine and be good in the law, to all intents, the granting of any like commission of peace or gaole deliuey, to any commissioner or commissioners, for the conseruation of the peace, or deliuerie of the prisoners, remaining in the gaol of any shire, Lath, Rape, Riding, or wapentake within this realme of England, bearing date after the said commission or commissions graunted to any such citie or towne corporat, not being a countie in it selfe, to the contrary notwithstanding. 2. and 3. H. and M. 18. S. Discontinuance of proces 6.

Statute declared at sessions.

111 The act made against unlawfull, and rebellious assemblies, or the effect therof, shalbe read or declared at euery quarter Sessions. (1. H. 12.) And so shal the statute made 5. El. 1. for assurance of the Q. power ouer all estates. And so shal the statute made 33. H. 8. for the maintenance of artillerie, and debarring unlawfull games.

Iustices of peace haue authoritie to enquire of, heare and determine diuers other offences, prohibited by seuerall statutes in force, but the authoritie is specially giuen vnto them by the words of the Queenes commission of peace, and not by the letter of anie of the said statutes, and therefore see the Commission, and peruse the statutes placed in their apt titles, in this treatise.

Sherife not Iustice.

1 That no Sherife shall be Iustice of peace in the countie where and when he is Sherife. S. Sherife 21.

Indictments in Turnes.

2 That Sherifes shall deliuer all indictments and presentments taken before them at their turnes, to the Iustices of peace, and that the Iustices shall make proces against, arraigne, and deliuer the offenders. S. Sherifes. 12. 13. 14. 15.

Examination of Sherifs &c.

3 That two Iustices of peace may examine Sherifes, vndersherifs, shire Clerkes, and bailifs of hundreds, of entring of plaints before them, and execution of proces, and who shall appoint those Iustices, and how they shall reforme offences. S. Sherifs 16. 20.

4 That

- 4 That the Sherifs shall make no estretes to leuie amerçiaments vntill Estretes.
two Iustices haue had the ouersight thereof, and that one part of the
estretes indented shall remaine with the Iustices. S. Sherifs 18.
- 5 That Iustices may sweare the Sherifs Bailifs to gather but their due- Sherifs Bai-
tie, and after examine them thereof. S. Sherifs 19. lises.
- 6 Where Iustices of peace may direct their precept, to be executed Precept into
out of their limits of their commission. S. Prison 2. Indictments 2. 3. another countie
Labourers 28. Bridges 5.
- 7 To what prison Iustices of peace shall commit offenders. S. Prison 1. Offenders.
- 8 That a Iustice of peace shall receiue the names of those which shoot Gunners.
in gunnes, and cause them to be recorded. S. Gunnes 11.
- 9 That two Iustices of peace shall be assistant to the Bishop or his Hospitals,
Chancellor, to take their accompt which haue the collection of hospital
landes. S. Hospitals 1.
- 10 That Iustices of peace may reforme panels returned before them. Panels.
S. Iurors 8.
- 11 That Iustices of peace may take enquests to enquire of conceale- Concealments
ments of other enquests. S. Iurors 9.
- 12 For Iustices authority, in taking Mariners to serue the Queene on Partners,
the sea. S. Mariners 3.
- 13 That Iustices within London and seuen miles compasse, shal assist Phisicians.
the Colledge of Phisicians, to execute the statutes for them prouided.
See Phisicians 10.
- 14 That none haue authoritie to make Iustices of peace, but the Making Ju-
Queene. S. Prerogatiue 17. stices.
- 15 That Iustices of peace shall arrest those which commit Riots, in- Riots.
quire of Riots, and certifie the same. S. Riots 1. 2. 3. 5.
- 16 That Commissions shalbe awarded, to enquire of the default of Inquire of
Iustices of peace touching inquirie of riots. S. Riots 6. Riots.
- 17 What the Iustices shal forf. which doe not certifie the names of the Maintainers,
maintainers, or imbraceors, with their misdemeanors, by whose meanes
anie Riot is not found by the Iurie. S. Riots. 15.
- 18 For the duetie of Iustices of peace, concerning the executing of Rebellions:
the statute made against vnlawfull and rebellious assemblies. S. Riots.
16. &c.
- 19 For the duetie of Iustices of peace, concerning the examination Preachers,
and punishment of anie which shal disturbe, or misuse anie Preacher in
his Sermon, or which shall rescue or disturbe the arrest of anie such of-
fendor, or suffer him to escape. S. Preachers 1. 2. 3.
- 20 That Iustices of peace shall receiue Dockets, of the high Con- Dockets,
stables &c. of all such things which be purueied for the Queene within
the same Countie where &c. And shall deliuer them ouer to the Lord
Steward of the Queenes house. S. Purueiors. 28.

Iustice of peace. Laborers, Artificers, &c.

- Abiured.** 21 Where a Iustice of peace may take an abiured person out of sanctuarie. S. Sanctuarie. 9.
- Sewers.** 22 Where Iustices of peace shall execute the commission of Sewers. See Sewers. 16.
- Vitailers.** 23 That Iustices of peace shall limit Vitailers gaine, and punish them which take excessiue. S. Vitailers 3.
- Vintners.** 24 That Iustices of peace may enter into a Marchants house which denieth to sell wine, at the price assessed &c. and sell and deliuer the same. See Wines 4.
- Wines.** 25 That none shall sell wines in Townes not corporat, but by the assignement of the Iustices of peace. S. Wines. 9.
- Woods.** 26 Where Iustices shall deuide a Wood, if the owner and commoners thereupon cannot agree. S. Woods. 8. 9.
- Armour.** 27 For the authoritie of Iustices in punishing those which goe or ride armed. S. Armour. 10.
- Iesuite.** 28 The forfaiture of a Iustice of peace, which hauing notice of a Iesuite or Priest, doth not thereof aduertise some of the Queenes Councell &c. S. Iesuities 12.
- Wales.** 29 That there shalbe Iustices of Peace in Wales, their authoritie, dutie, &c. S. Wales. 30. 31.
- 30 For the authoritie of Iustices of peace touching the execution of the Statute provided for the reliefe of Souldiors and Mariners S. Capitaines 17. 18. 19. 20. 23. 25. 26.
- 31 For the authority of Iustices of peace in deciding what houses builded within three miles of London or Westminster be not for subfedy men. S. Cotages. 6. 14.
- 32 For the authoritie of Iustices of peace touching the execution of the Statute of Huy and Cry, S. Huy and Cry. 4. 10.

Laborers, Artificers, Seruants, Apprentizes.

None of these
seruants shall
be retained vn-
der a yeere.

NO person shall retaine, hire, or take into seruice, or cause to be retained, hired, or taken into seruice, nor any person shalbe retained, &c. to worke for any lesse time then for one whole yeere, in any of the sciences, or artes of Clothiers, Tollen-cloth weauers, Tuckers, Fullers, Clothworkers, Sheremen, Diers, Hosierys, Tailers, Shoomakers, Tanners, Pewterers, Bakers, Bruers, Glouers, Cutlers, Smithes, Ferrers, Curriers, Saddlers, Spurriers, Turners, Tappers, Hatmakers, or Felmakers, Bowyers, Fletchers, Arrowheadmakers, Butchers, Cookes, or Millers. 5. Eliz. 4.

Persons com-
petable to serue
in handicrafts.

2 Euery person unmarried, and euery other person vnder the age of xxi. yeeres married, hauing bene brought vp in any of the said arts, or sciences, or that hath vsed or exercised any of them by the space of iii. yeeres or more, and not hauing lands, tenements, rents, or hereditaments, copyhold or freehold, of one estate of inheritance, or for terme of any life or

lives

liues, of the cleere yeerely value of xl. s. nor being worth of his own goods the cleere value of x. li. and so allowed by two Iustices of the peace of the Countie where hee hath most commonly inhabited by the space of one whole yeere, and vnder their hands and seales, or by the Maior, or other head officer of the Citie, Borough, or towne corporat, where such person hath most commonly dwelled by the space of one whole yeere, and two Aldermen, or two other discret Burgeses of the same Citie, &c. if there be no Aldermen, vnder their hands and seales, nor being retained with any person in husbandry, or in any of the foresaid arts according to this statute, nor lawfully retained in none other art or science, nor being lawfully retained in household, or in any office with any Nobleman, or Gentlemā, or others, according to the lawes of this Realme, nor hauing a conuenient farme or other holding in tillage whereupon he may employ his labour, shall during the time that he or they shalbe so vnnaried, or vnder the said age of xxx. yeeres, vpon request made by any person vsing the Art or Mysterie wherein the said person so required hath bene exercised, as is aforesaid, be retained, and shall not refuse to serue according to the tenor of this statute, vpon the paine and penaltie hereafter mentioned. 5. Eliz. 4.

3 Euery person between the age of xii. yeeres, and the age of lx. yeeres, not being lawfully retained, nor apprentize with any fisherman or Mariner, haunting the Seas, nor being in seruice with any Kidder or Carrier of any cozne or meale, for prouision of the citie of London, nor with any husbandman in husbandrie, nor in any Citie, Towne corporat, or market towne, in any of the arts or sciences appointed by this statute, to haue or take apprentizes, nor being retained by the yeere, or halfe the yeere at the least, for the digging, seeking, finding, getting, melting, fining, working, trying, or making of any Siluer, Tinne, Lead, Iron, Copper, Stone, Seacoale, Stonecoale, Hooze-coale, or Cherkcoale, nor being occupied in or about the making of any glasse, nor being a gentleman bozne, nor being a student, or scholler in any of the Uniuersities, or in any schoole, nor hauing lands, tenements, rents, or hereditaments for terme of life, or of one estate of inheritance of the cleere yeerely value of xl. s. nor being worth in goods and cattels to the value of x. li. nor hauing a father or mother the liuing, or other auncestor, whose heire apparant he is, then hauing lands, tenements, or hereditamēts, of the yeerly value of x. li. or aboue, or goods, or cattels of the value of xl. li. nor being a conuenient or necessarie officer, or seruāt lawfully retained, as is aforesaid, nor hauing a conuenient farme or holding, whereupon he may or shall imploy his labour, nor being otherwise lawfully retained, according to the true meaning of this statute, shalbe compelled to be retained to serue in husbandrie, by the yeere, with any person that keepeth husbandry, and will require any such person to serue, within the same shire where he shal be so required. 5. Eliz. 4.

Persons com-
pelable to serue
in husbandrie.

Retaining or
giuing wages
contrary to the
statute.

4 If any person do by any secret means, directly or indirectly retaine, or keepe any seruant, worlman, or laborer, or doth giue any more or greater wages, or other commoditie, contrarie to the true meaning of this statute, or contrary to the rates or wages assessed or appointed in the proclamations made for y^e purpose, in the Countie, Citie or Borough, where he doth inhabit, then he y^e shal so offend & be therof lawfully conuicted before any Iustice of peace of the County, or the Maior or other head officer of y^e citie, borough, or towne corporat, & two Aldermen, or two discreet Burgessees if there be no Aldermen, or before the L. President & council in the marches of Wales, or the Lord President & counsell in the Northparts, shall suffer imprisonment by the space of tenne daies, without baile or mainprise, and forfait v. li. And euery person that shall be so retained and take wages contrarie to this statute, or anie branch thereof, or of the said proclamation, and shalbe thereof conuicted before the Iustices aforesaid, or anie two of them, or before the Maior or head officers aforesaid, shall suffer imprisonment by the space of xxi. daies without baile or mainprise. And euerie retainer, promise, gift, or paiment of wages or other thing whatsoever, contrarie to the true meaning of this statute, and euerie w^{ri}ting and bond made for that purpose, shalbe utterly void, 5. Eliz. 4. How the wages shalbe rated. S. Iustices of peace. 56.

Taking of wages
contrarie to
the statute.

Putting awaie
a seruant with-
in the terme.

5 If anie person after he hath retained any seruant, shall put away the same seruant before the end of his terme, vnlesse it be for some reasonable and sufficient cause to be allowed before two Iustices of peace, or one at the least within the said countie, or before the Maior or other chiefe officer of the citie, borough, or towne corporat, wherein the said Master, Mistres or Dame inhabiteth, Or if any such Master, Mistres, or Dame, shall put away any such seruant at the end of his terme, without one quarters warning giue before the said end, then euery such master &c. so offending, shall forfait xl. s. vnlesse he be able to proue by two sufficient witnesses, some reasonable & sufficient cause of putting awaie of his seruant during the terme, or a quarters warning giuen before the end thereof, before the Iustices of Dier and Terminer, Iustices of assise, Iustices of the peace in the Quarter sessions, or before the Maior or head officer of anie citie, borough, or towne corporat, & two Aldermen, or two other discreete Burgessees of the same citie &c. if there be no Alderme, or before the Lord President and Counsell in the marches of Wales or in the North. 5. Eliz. 4.

Putting awaie
the seruāt with-
out a quarters
warning.

The seruāt de-
parting within
his term, with-
out warning,
or refusing to
serue.

6 If anie seruant retained according to this statute, shall depart from his master, mistresse, or dames seruice before the end of his terme, vnlesse it be for some reasonable & sufficient cause, to be allowed as is aforesaid: Or if anie seruant at the end of his terme depart from his masters &c. seruice, without one quarters warning giuen before the end of his terme, & before two lawfull witnesses, Or if anie person compellable and bound to be retained and to serue in husbandrie, or in any other sciences aboue remembred

remembred by the yere, or otherwise, do vpon request made, refuse to serue for the wages rated & appointed by the Queenes Proclamation in that county, citie, borough where &c. according to the forme of this statute, Or promise or couenant to serue, & doe not serue according to the tenor of the same, then euery seruant so departing away, & euerie person so refusing to serue for such wages, vpon complaint therof made by the master &c. of the said seruant, or by the partie, to or with whom the said refusal is made, or promise not kept, to two Iustices of peace of the countie, or to the Maior or other head officer of the citie, borough, &c. and two Aldermen, or two other discreet burgesses of the same citie &c. if there be no Aldermen where the said Master &c. or the said partie to or with whom the said refusall is made, or promise not kept, dwelleth, or to either of y^e said Lords Presidents and Councell of Wales, & the North, The said Iustices, Presidents and Councell, & the said Maiors, head officers, & other persons of Cities, Boroughs &c. or anie of the, haue power to heare & examine the matter, and finding the said seruant, or the said partie so refusing, faultie in the premises, vpon such proofes & good matter, as to their discretions shalbe thought sufficient, to comit him to ward, there to remaine without baile or mainprise, vntill he shall be bound to the partie, to whom the offence shall be made to serue & continue with him, for the wages limitted according to the tenour of this statute, & then to be discharged vpon his deliuerie, without paying any fee to the Gaoler where he shall be so imprisoned. 5. El. 4.

7 None of the said retained persons in husbandrie, or in anie the Artes or sciences aboue remembred, after the time of his retainer expired, shall depart forth of one Citie, Towne, or parish to an other, Nor out of the Lath, Rape, Mayentake, or hundred, Nor out of the countie or shire where he last serued, to serue in any other Citie, Towne corporat, Lath, Rape, Mayentake, Hundred, Shire, or Countie, vlesse he haue a testimoniall vnder the seale of the said citie or towne corporat, or of the Constable, or other head officer, & of two other honest householders of the Citie, towne, or parish where he last serued, declaring his lawfull departure, & the name of the shire & place where he dwelled last befoze his departure, according to the forme hereafter expessed, which certificat, or testimoniall shall be w^ritten & deliuered vnto the said seruant, and also registred by the Parson, Vicar, or Curate of the parish where such master, mistres, or name doth dwell, taking for the doing thereof ii. s. and not aboue. Memorandum that A. B. late seruant to C. D. of E. husbandman or Taylor &c. in the said Countie, is licensed to depart from his said Master, and is at his libertie to serue els where, according to the Statute in that case made & provided. In witnesse whereof &c. dated the day, moneth, yeere, and place &c. of the making thereof. 5. Eliz. 4.

Servants shall not depart into other townes without testimoniall.

The forme of the Testimoniall.

8 No person that shall depart out of seruice, shall be retained or accepted into any other seruice, without shewing befoze his retainor, such testimoniall.

Labourers, &c.

ing his Testi-
moniall.

testimoniall as is befoze remembred, to the chief officer of the towne cor-
porat, & in euery other towne & place to the Constable, Curate, Church-
warden, or head Officer of the same where he shall be retained to serue,
vpon the paine that euery such seruant so departing without such certifi-
cat or testimoniall, shalbe imprisoned vntill he procure a testimoniall or
certificat, the which if he cannot do within the space of xxi. daies next af-
ter the first day of his imprisonment, then the said person shal be whipped,
& vsed as a vagabond, according to the lawes in such case prouided. And
euerie person retaining any such seruant without shewing such testimo-
niall, or certificat, shall forfait for euery such offence v. l. And if any such
person shall be taken with any counterfeit or forged testimoniall, then
he shall be whipped as a Vagabond. 5. Eliz. 4.

Counterfait
testimoniall.

How long
workmen shall
continue at
their labor.

9 All Artificers and labourers, being hired for wages by the day or
weeke, shall betwixt the middest of the moneths of March and Septem-
ber, be, and continue at their worke, at or befoze five of the clocke in the
morning, and continue at worke, and not depart vntill betwixt vii. & viii.
of the clocke at night, except it be in time of breakefast, dinner, or drin-
king, the which times at the most shall not exceed aboue two houres and a
halfe in the day, that is to say, at euerie drinking one halfe houre, for his
dinner one houre, & for his sleepe when he is allowed to sleepe, (the which
is from the middest of May to the middest of August) halfe an houre at the
most, & at euery breakefast one halfe houre. And all the said artificers and
labozers betweene the middest of September, and the middest of March,
shall be and cōtinue at their worke, from the spring of the day in the mor-
ning vntill night, except it be in time afoze appointed for breakefast and
dinner, vpon paine to forfait one peny for euery houres absence, to be de-
faulked out of his wages that shall so offend. 5. Eliz. 4.

None shall de-
part from his
worke befoze
it be finished.

10 Euery artificer and labourer that shall be lawfully retained, in
or for the building, or repairing of any Church, house, ship, mill, or euery
other piece of worke take in great, in taske, or in grosse, or that shall take
vpon him to make or finish any such thing or worke, shall continue & not
depart from the same (vnlesse it be for not paying of his wages or hyre a-
greed on, or otherwise lawfully taken or appointed to serue the Queene
&c. or for other lawfull cause, or without licence of the master or owner of
the worke, or of him that hath the charge thereof) befoze the finishing of
the same worke, vpon paine of imprisonment by one moneth without
baile or mainprise, and the forfeiture of v. l. to the partie from whom he
shall so depart, for the which the said partie may haue his action of debt
against him that shall so depart in any the Queenes Courts of record, be-
sides such ordinarie costes and dammages, as may or ought to be recou-
ered by the common lawes, for any such offence, wherein no M. &c. C. &c.
&c. And no other artificer or labourer, retained in any seruice to worke
with the Queene, or any other person, shall depart from her Maestie, or
from

from the said person, vntill the worke be finished, if the person so retaining the artificer or labourer, so long will haue him, and pay him his wages, or other dueties, vpon paine of imprisonment of euery person so departing by the space of one moneth. 5. Eliz. 4.

11 But all persons of the Countie where they haue accustomed to go into other Shires, for haruest worke, and hauling at that time no haruest worke sufficient in the same towne, nor Countie where he or they dwelt in the winter then last past, bringing with him or them, a testimoniall vnder the hand & seale of one Iustice of the peace of the shire, or other head officer of the towne or place where he or they come from, testifying the same, for the which he shall not pay aboue i. d. (other then such persons as shal be retained in seruice according to the forme of this statute) may resort in haruest of hay or corne, from their Countie wherein their dwelling places are, into any other place or countie, for the onely mowing, reaping, & getting of hay, corne, & graine, & for the onely working of haruest works, as they might haue done before the making of this statute. 5. Eliz. 4.

Going into other shires for haruest work.

12 If any seruant, workman, or labourer, shall wilfully or maliciously make any assault or affraie vpon his Master, Mistresse, or Dame, or vpon any other, that shall at that time haue the charge or ouersight of him, or of the worke wherein he is appointed, or hired to worke, & being therof convicted before any two of the Iustices, Maior, or head Officer aforesaid, where the said offence is committed, or before either of the said Lords Presidents, and Counsell before remembred, by confession of the said seruant, workman, or labourer, or by the witnesse & oath of two honest men: Then euery such offendour shall suffer imprisonment by the space of one whole yeere, or lesse, by the discretion of two Iustices of peace, if it be without a Towne corporat, and if it be within a towne corporat, then by the discretion of the Maior, or head Officer of the same Towne corporat, with two others of the discreetest persons of the same corporation at the least. And if the offence shall require further punishment, then to receiue such other open punishment (so as it extend not to life, nor lim) as the Iustices of peace in open Sessions, or as the more part of them, or the said Maior, or head Officer, & sixe or iiii. at the least of the discrete persons of the same corporation, before whom the offence shalbe examined, shal think conuenient for the qualitie of the said offence so committed. 5. Eliz. 4.

A seruant or workman assaulting his Master.

13 In the time of hay, or corne haruest, the Iustices of peace, & euery of them, and also the Constable, or other head Officer of euery towneship, vpon request, and for the auoyding of the losse of any corne, or hay, shall and may cause all such artificers and persons, as he meete to labour, by the discretion of any of the said Iustices, Constables, or other head Officers, to serue by the day for the mowing, reaping, shearing, getting, or inning of corne and hay, according to the skill & qualitie of the person. And none of the said persons shall refuse so to do, vpon paine to suffer imprisonment

Artificers are compellable to worke in haruest.

in the stocks by the space of two daies and one night. And the Constable of the Towne, or other head Officer of the same where the said refusal shall be made, upon complaint to him made, shall haue authoritie to set the said offender in the Stocks for the time aforesaid, and shall punish him accordingly, upon paine to lose & forfeit for not doing thereof, the summe of xl. s. 5. Cl. 4.

Women com-
pelable to
serue.

14 Two Iustices of peace, the Maior, or other head Officers of any Citie, Borough, or Towne corporat, and two Aldermen, or two other discreet Burgeses of the same Citie &c. if there be no Aldermen, shall and may appoint any such woman, as is of the age of xii. yeeres, and vnder the age of xl. yeeres, and vnmarrried, and forth of seruice, as they shall thinke meete to serue, to be retained, or serue by the yeere, by the weeke, or day, for such wages, and in such reasonable sort, as they shall thinke meete. And if any such woman do refuse so to serue, then it shall be lawfull for the said Iustices, Maior, or head Officer to commit her to warde, vntill she shall be bounden to serue as is aforesaid. 5. Cl. 4.

A husbandman
may take an
Apprentice.

15 Euery person being an houtholder, and hauing and vsing halfe a plough land at the least in tillage, may haue and receiue to an appzntice any person aboue the age of x. yeeres, and vnder the age of xviii. yeeres, to serue in husbandry, vntill his age of xxi. yeeres at the least, or vntil the age of xxiii. yeeres, as the parties can agree, and the said retainer and taking of an appzntice, shall be done by an Indenture. 5. Cl. 4. See 12. R. 2. 5. If a child vse husbandry vntill the age of xii. yeeres, and be made an Appzntice after to any mysterie, his couenant shall be void. But whether this be in force, or repealed by the generall wordes of 5. Cl. 4. Quære.

Quære.

Apprentices
in Townes
corporat.

16 Euery person being an houtholder, and xxiii. yeeres old at the least dwelling in any Citie, or Towne corporat, & vsing any arte, mysterie, or manuel occupation there, shall and may, during the time that he shall there dwell and vse any such arte &c. haue and retaine the sonne of any freeman not occuppying husbandry, nor being a labourer, & inhabiting in the same or in any other Citie or Towne corporat to serue and be bound as an appzntice after the custome and order of the Citie of London, for vii. yeeres at the least, so as the terme of such appzntice do not determine befoze he shall be of the age of xxiii. yeeres at the least. 5. Cl. 4.

These must
take prentices
whose parents
may dispend
some lands.

17 It is not lawfull for any person dwelling in any Citie or Towne corporat, vsing any of the mysteries or craftes of a Merchant traffiquing by trade into any the parts beyond the Sea, Mercer, Draper, Goldsmith, Ironmonger, Embroiderer, or Clothier, that doth put cloth to making & sale, to take an appzntice or seruant, to be instructed in any of the artes, occupations, craftes, or mysteries, which any of them do vse, (except such seruant or appzntice be his sonne) or els that the father or mother of such appzntice or seruant, shall haue at the time of the taking of him, lands, tenements, or other hereditaments, of the cleere yeerely value of xl. s. ol

one estate of inheritance or freehold at the least, to be certified under the handes & scales of iii. Iustices of the peace of the shire or shires where the said lands, tenements, or other hereditaments doe lie, to the Maior, Bailife, or head Officer of such Citie, or Towne corporat, and to be inrolled among the records there. But if any such Merchant, Mercer, Draper, or other of the artificers aforesaid, doe dwell in a Market towne not incorporated, then the father or mother of an apprentice by him taken, must haue lands, &c. to the value of iii. li. &c. to be certified by three Iustices, inrolled as is aforesaid. 5. El. 4.

18 It is lawful for every person being an householder, and xxiii. yeeres old at the least, & not occupying husbandry, nor being a labourer, dwelling in any Market towne not being incorporated, so long as the same shall be weekly used as a market Towne, and using any arte, mysterie, or manuel occupation, during the time of his abode there, and so using such arte &c. to haue in like maner to apprentice the child or children of any other artificer or artificers, not occupying husbandry, nor being a labourer, inhabiting in the same, or in any other such market towne within the same Shire, to serue as an Apprentice, to any such arte &c. as hath bin usually exercised in any such Market towne, where such apprentice shal be bound, in maner and forme aforesaid. And the inhabitants of Godalming in the Countie of Surrey, within the limits of the watch of the same Towne, may vse such occupations, & take and vse Apprentices and seruants, as the aforesaid inhabitants within Market townes may doe. 5. El. 4.

What prentices, inhabitants in market townes may take.

Godalming.

19 It is lawfull to any person, using the occupation of a Smith, wheelewright, ploughwright, millwright, carpenter, roughmason, plasterer, sawyer, limeburner, brickmaker, bricklayer, tyler, slater, helyer, tyle-maker, linnen weauer, turner, colwper, miller, earthen potter, woollen weauer, weauing huswifes or household cloth onely, and none other cloth, fuller, other wise called tucker or walker, burner of Dye & Wood ashes, hatcher, or shingler, wheresoeuer he or they shall dwell, to haue or receiue the sonne of any person as Apprentice, in maner and forme abouesaid, to be instructed in these occupations onely, and in none other, albeit the father or mother of any such apprentice haue not any lands, tenements, or hereditaments. 5. Eliz. 4.

Prentices whose parents may dispend no lands.

20 It is not lawfull for any person, other then such as (at the time of the making of the Statute being 12. Ianuar. An. Dom. 1562.) did exercise any arte, mysterie, or manuell occupation; to set vp, or exercise any craft, mysterie, or occupation, now used within England or Wales, (except he shall haue bin brought vp therein vii. yeeres at the least, as Apprentice in forme aforesaid) nor to set any person on worke in such mysterie or occupation, being not a workman at the said 12. Ianuarie, (except he shall haue bin apprentice as is aforesaid) or els hauing serued as an apprentice, will become an Iourneyman, or hired by the peere, vpon paine

None shall occupie any craft but which hath bin Apprenticed.

that euery person willingly doing the contrarie, shall forfait for euery default xl. s. for euery moneth. 5. Eliz. 4. That all suites vpon this branch of the Statute shall be inquired of, heard, and determined in the generall Assises, quarter Sessions, or Leete, where the offence shall be committed. S. Actions popular 11.

Woollen wea-
uers Appren-
tice.

21 No person vsing the mysterie of Woollen cloth weauer (other then such as be inhabiting within the Counties of Cumberland, Westmerland, Lancaster, and Wales, weauing frizes, cottons, or huswines cloth, onely making and weauing woollen cloth commonly to be sold by any Clothier) shall take any Apprentice, or shall in any wise instruct any person in the occupation of weauing aforesaid, in any village, towne, or place (Cities, Townes corporat, and Market townes onely excepted) vnlesse such person be his sonne, or els that the father or mother of such apprentice or seruant, shall at the time of the taking of such person to be an apprentice or seruant, or so to be instructed, haue lands, or hereditaments to the cleere yeerely value of threepound at the least, of one state of inheritance or freehold, to be certified vnder the hands and seales of thre Iustices of the peace of the shire or shires, where the said lands &c. doe lie, the effect of the Indenture to be registred within thre Monethes within the parish where such Master shall dwell, and to pay for such registering iiii. d. vpon paine of forfeiture of xx. s. for euery Moneth, that any person shall otherwise take any Apprentice, or let any such person on worke, contrarie to the meaning of this article. 5. Eliz. 4.

For iij. Ap-
prentices,
there shall
be kept one
Journeyman.

22 Euery person that shall haue Apprentices in any of the said occupations of Clothmaker, Fuller, Shearman, Weauer, Taylor, or Shoemaker, shall retaine & keepe one Journeyman, and for euery other Apprentice aboute the number of the said thre, one other Journeyman, vpon paine to forfait for euery default therein x. pound. But this Act shall not preiudice or hinder the liberties graunted by any Act of Parliament in force to the Companie of Woosted makers, and Weauers in the Citie of Norwich, and the Countie of Norfolk. 5. El. 4.

Woosted ma-
kers.

Apprentices
bound within
age.

23 Euery person that shall be bounden by Indenture to serue as an Apprentice in any arte, science, occupation, or labour, according to this Statute, and in forme aforesaid, (albeit the same Apprentice shall be within the age of xxi. yeeres at the time of the making of his Indentures) shall be bound to serue for the yeeres in his Indentures contained, as largely to euery intent, as if he were of full age at the time of the making of such Indentures. But no person shall by force of this Statute, be bound to enter into any Apprenticeship, other then such as be vnder the age of xxi. yeeres. 5. El. 4.

The remedie
where one re-
quired to be
bound prentice
doth require.

24 If any person shall be required by any household, hauing & vsing halfe a plough land at the least in tillage, to be an Apprentice, & to serue in husbandrie, or in any other kind of arte, mysterie, or science before expessed,

expressed, and shall refuse so to doe, then vpon the complaint of such house-keeper made to one Iustice of peace of the Countie wherein such refusall shall be made, or of such housholder inhabiting in any citie, towne corporat, or market towne, to the Maior, Bailife, or head officer of the said citie &c. if any such refusall shall there be, they haue full authoritie to send for the same person so refusing. And if the said Iustice, or the said Maior, or head officer shall thinke the said person meete to serue as an appzentice in that arte &c. wherein he shall be so then required to serue, then he hath authoritie, (if the said person refuse to be bound as an appzentice,) to commit him vnto warde, there to remaine vntil he wil be bound to serue as an appzentice should serue, according to the true meaning of this Act. 5. El. 4.

25 If any such Master shall misuse, or euill intreat his appzentice, or the said appzentice shall haue any iust cause to complaine, or if the appzentice do not his dutie to his Master: Then the said Master or appzentice hauing cause to complaine, shall repaire vnto one Iustice of peace within the said Countie, or to the Maior, or other head officer of the citie, towne corporat, market towne, or other place where the said Master dwelleth, who shall take such order betweene the said Master and his appzentice, as the equitie of the cause shall require. And if for want of good conformitie in the said Master, the said Iustice, Maior, or head officer cannot agree the matter betweene him and his appzentice, then the said Iustice, Maior, or head officer, shall take bond of the said Master to appeare at the next Sessions to be holden in the said Countie, or within the said citie, towne corporat, or market towne, to be before the Iustices of the said Countie, or the Maior, or head officer of the said towne corporat, or market towne, (if the said Master dwell within any such,) and vpon his apparance and hearing of the matter before the said Iustices, or the said Maior, or other head officer, if it be thought meete vnto them to discharge the said appzentice of his appzenticehood: Then the said Iustices, or foure of them at the least, whereof one to be of the Quorum, or the said Maior or other head officer, with the consent of thre other of his brethren, or men of best reputation within the said citie, towne corporate, or market towne, haue power in wziting vnder their handes and seales, to declare that they haue discharged the said appzentice of his appzenticehood, and the cause thereof, and the said wziting so being made and inrolled by the Clerke of the peace, or Towne Clerke, amongst the Records that he keepeth, shall be a sufficient discharge for the said appzentice against his Master, his executors, and administrators, the Indenture of the said appzenticehood, or any law or custome to the contrarie notwithstanding. And if the default shall be found to be in the appzentice, then the said Iustices, or the said Maior, or other head Officer with the assistants aforesaid, shall cause such due correction to be ministred vnto him, as by their discretion shall be thought meete. 5. Eliz. 4.

The remedie
for a pzentice
which is mis-
used by his
Master.

If there be
faute in the
pzentice.

Taking of app-
rentices con-
trarie to this
statute.

In what ma-
ner all penal-
ties forfeited
by this statut
shal be employ-
ed.

London,
Norwich.

Servants de-
parting into
an other shire.

26 All Indentures, covenants, promises, and bargaines, for the ha-
ving, taking, or keeping of any apprentice otherwise to be made, or taken,
then is by this statute ordeined, shall be cleerely void in the law to all in-
tents, and euery person that shall take, or newly retaine any apprentice
contrarie to the true meaning of this Act. shall forfeit for euery apprentice
so taken *v. li.* The one halfe of which forfeiture, & of all forfeitures and
penalties expessed and mentioned in this Statute, (other then such as
are expessed otherwise appointed,) shall be to the Queene, her heires and
successors, and the other moitie to him or them that shall sue for the same
in any of the Queenes Courts of record, or before any of the Iustices of
Oier and Terminer, or before any other Iustices, or President & Counsel
before remembred, by A. of debt, J. B. or otherwise, wherein no *W. C.*
P. &c. 5. *Eliz.* 4. Who in this case shall haue the forf. in corporat townes,
S. Corporations 19.

27 Provided alwaies that this Act shall not be preiudiciall to the Ci-
ties of London & Norwich, or to the lawfull liberties, customes, or priui-
ledges of the same, concerning the hauing or taking of any Apprentices,
but the Citizens and freemen of the same Cities, shall and may take and
retaine apprentices there, in such maner as they might lawfully haue done
before *&c.* 5. *Eliz.* 4. An 12. *H.* 7. 1. it was enacted that euery person of
the occupation of *Woolsted*, *Saies*, & *Stamin* makers within the Coun-
tie of *Norfolk*, the which the fower Wardens of the said occupations
within the said Countie yeerely chosen, shall enable to keepe a Prentice,
shall be at libertie to take and keepe at all times one or two Apprentices,
any person or persons put to the foresaid occupation, so that he passe not
two at once at the most. And likewise euery person shall be at his libertie,
to put any apprentice to the foresaid occupations: any Act or ordinance
before made to the contrarie notwithstanding. The which Statute see-
meth to be repealed for the inhabitants dwelling in all other partes of the
Countie of *Norfolk*, (sauiug in *Norwich*) by the statute of 5. *El.* 4. which
repealeth all statutes before made touching the hiring, keeping, working,
wages, & order of seruants, workmen, artificers, apprentices, & labourers,
and for *Norwich* onely it seemeth to be in force by this prouiso. See 22.

28 If any seruant or apprentice of husbandry, or of any arte, science,
or occupation aforesaid, unlawfully depart, or flie into any other Shire,
it shal be lawfull to the said Iustices of peace, and to the said Maiors, Bai-
lives, & other head Officers of Cities & Townes corporat, being Iustices
of peace there, to make and graunt writs of *Capias*, so many, and such as
shal be needfull, to be directed to the Shirifes of the Counties, or to other
head Officers of the places whither such seruants or apprentices shall so
depart, to take their bodies, returnable before them at what time shall
please them, so that if they come by such proces, they shall be put in pry-
son till they shall find sufficient suertie well and honestly to serue their
Masters.

Maisters, Mistresses, or dames, from whom they so departed, according to the order of the law, 5. El. 4.

29 But it is lawfull to the high Constables of hundreds in euery shire Stat. Sessions to hold, keepe, & continue petit Sessions, otherwise called Statut Sessions, within the limits of their authorities, in all shires wherein such sessions haue bin vsed to be kept, in such maner, as heretofore hath bin vsed, so as nothing be by them done therein contrary or repugnant to this act, 5. El. 4.

30 It shall be lawfull to euery owner of ships or vessels, and to euery Owners of ships, Gunners, and Shipwrights, may take apprentices. householdier vsing the trade of the seas by fishing or otherwise, to euery Gunner commonly called a Canoner, & to euery Shipwright, to take or keepe one or more apprentice or apprentices to be brought vp in the said trades, euery of the said apprentices to be to them bound for ten yeeres or vnder. And euery apprentice so taken being aboue seven yeeres of age, shall be by the same couenants bound, ordered, & vsed to all intents, according to the custome of the Citie of London, so that the same couenant or bond of apprenticeship be made by writing indented and inrolled in the towne where the same apprentice shall be then inhabiting if it be a towne corporat, and if the towne be not incorporat, then to be inrolled in the next towne corporat to the habitation of euery such apprentice. And the Officers of euery such towne corporat shall take for euery such inrolment not aboue xii. d. 5. Eliz. 5. 35. Eliz. 7.

31 If any Beggers child being aboue the age of five yeeres and vnder A Beggers child taken apprentice. xiiii. yeeres, being male or female, shall be liked of by any subiect of this Realme of honest calling, who shall be willing to take the said child into seruice, the said subiect shall at the next generall Sessions to be holden for the said Countie, by order of the Iustices there, or the most part of them, haue the said child bound with him (if it be a man child) till the age of xiiii. yeeres, if it be a woman child, till the age of xviii. yeeres. And if the child do after depart, or be taken, or be inticed from the said Master or Mistresse, the Master or Mistresse, to haue their remedie by order of the statute of Labourers as for their seruant, either by way of action or otherwise, aswell against the child, as against the taker or inticer thereof. 14. Eliz. 5. 18. Eliz. 3. 27. Eliz. 11. 35. Eliz. 7. to continue till the end of the next Parliament now next ensuing.

32 Euery craftsman of the mysterie and occupation of Woollen making, dwelling within any of the townes of Lin and great Warmouth, in Inhabitants in Linne and Warmouth, the Countie of Norfolke and suburbs of the same, may haue and take apprentice or apprentices (being male) of the age of xiiii. yeeres and vppward, and being the Queenes naturall subiects, for the terme of seven yeeres and not vnder, so that none of them exceed the number of two at once, to learne, vse, and exercise the said craft within either of the said townes or suburbs of the same, albeit the father of the same apprentice may not spend in landes and tenements to the yeerely value of xx. s. any act or

Labourers, &c.

ordinance to the contrarie made or to be made notwithstanding. 14. H.
8. 3. 26. H. 8. 16. 5. Cl. 4.

1 For conspiracies made by Artificers or Labourers for the order of their workes. S. Artificers 1.

2 Where the Master shall put away his seruant for wearing of Silke. S. Apparell 18.

3 That none shall worke Hats with forrein wooll, but which hath apprentice. S. Hattes 3.

4 How many apprentices a Hatmaker may take, and for what time. S. Hattes 6.

5 That none shall be a Weauer, but which hath bin apprentice. S. Draperie 76.

6 For the authoritie and duetie of Iustices of peace, Maiors, &c. concerning the executing of the statute of Labourers. S. Iustice of peace. 66. 67. 68. Corporations 19.

7 What shall be taken for entrie of an Apprenticeship and Freedom. S. Corporations 4.

8 In what cases Ouerseers of the poore may bind poore children prentices. S. Poore 5.

Lancaster.

WHat landes euery Iuror ought to dispend which shall indict in a forrein Countie, any person dwelling in the Countie of Lancaster, and *e conuerso*. S. Iurors 17. 18.

2 For fines leuied before the Iustices of Assise at Lancaster, of lands within the Countie of Lancaster. S. Fines 12.

3 That Tales de circumstantibus is grantable in the Countie of Lancaster, where a full Iurie doth not appeare. S. Iurors 23. 28.

4 For Exigents awarded against any person dwelling in the Countie of Lancaster. S. Exigents 6. 10. Liieries 5.

5 For commissions of Sewers to be granted within the fees of the Dutchie of Lancaster. S. Sewers 17. 19.

6 How offices found in the Countie of Lancaster shall bee received, and that they shall be certified into the Court of Wardes. S. Offices 7.

7 For inrolments of bargaines and sales of lands in the Countie of Lancaster. S. Inrolments 4.

8 For the inrolling of Fines and Recoueries in the Countie of Lancaster. S. Fines 29. &c.

9 That certaine fugitiue lands shall be within the suruey of the Court of the Dutchie. S. Fugitiues 8.

10 For the authoritie of the Court of the Dutchie of Lancaster. S. Courtes.

Lapse.

If any do present to a church being void, the aduowson whereof is the **Queenes**, so that suit is commenced betwixt the Queene and the other, Do Lapse against the Queene. if the Queene by iudgement of the Court doe recouer her presentation, though it be after the Lapse of vi. moneths from the time of auoibance, no time shall preiudice her grace so that shee present within the time of vi. moneths. *Prærog. Regis. 17. Ed. 2. 8.*

2 When any Ordinary hath giuen a benefice which came rightfully to him by Lapse, and after the Queene presenteth, and commenceth her suite against the Patron, in this and all such like cases where the Queens title is not tried, the ordinarie or possessor shall be receiued to counterpleade the title made for the Queene, and to haue his answer, shewe and defend his right, though he claime nothing in the patronage. *25. Ed. 3. 7. pro clero. S. Incumbent.* The Ordinary may counterpleade the Queenes title for a benefice fallē by Lapse.

1 Where title to conferre or present by Lapse shall not accrue vpon depriuation, but after vj. moneths after notice. *S. Ecclesiasticall persons. 5.*

Leases.

A Leases hereafter to be made of any mannoys, lands, tenements, or other hereditaments, by wꝛiting indented vnder seale, for terme of yeeres, or for terme of life, by any person or persons being of full age of xxi. yeeres, hauing any estate of inheritance, either in fee simple, or in fee taile, in their owne right, or in the right of their Churches, or wiues, or jointly with their wiues, of any estate of inheritance made befoze the co-uerture or after, shal be good and effectuell in the lawe against the lessors, their wiues, heires and successors, and euery of them according to such estate as is comprised in euerie such indenture of lease, in like maner and forme as the same should haue bene, if the lessors thereof and euerie of them at the time of the making of such leases had bene lawfully seised of the same lands, &c. comprised in the said indenture, of a good perfect and pure estate of fee simple to their owne only vles. But this act doth not giue any libertie to anie person or persons to take anie moze farmes, leases, or takings of anie lands &c. then he or they should or lawfully might haue done befoze the making of this act, *32. H. 8. 28.* Leases by tenant in taile or of the wiues lands.

2 This act doth not extend to any leases to be made of any mannoys, landes &c. being in the handes of any farmer, or farmers, by vertue of anie olde lease, vnlesse the same olde lease bee expired, surrendꝛed, or ended within one yeere next after the making of the said new lease, nor shall extend to any graunt to be made of anie reuerſion of anie mannoys, lands &c. nor to any lease of any mannoys, landes &c. which haue not most commonly bene letten to farme, or occupied by the farmers thereof by the space of twentie yeeres next befoze such lease thereof made, nor to any lease to be made without impeachment of wast, nor to any lease to be made Specciall obseruations of leases to be made by tenant in taile or of the wiues lands.

made aboute the number of xxi. yeeres, or iii. liues at the most, from the day of the making thereof, and vpon euerie such lease there shall be reserued peerly during the same lease due and payable to the lessors, their heires and successors to whom the same lands should haue come after the death of the lessors, if no such lease thereof had bene made, and to whom the reuerſion thereof shall appertaine, according to their estates and interests, so much peerly farme or rent or more, as hath ben most accustomably paid for the manors, lands &c. so to be letten within xx. yeers next befoze such lease thereof made. And euery person to whom the reuerſion of such manors, lands &c. so to be letten shall appertaine as is aforesaid, after the death of such lessors, or their heires, shall and may haue such like remedy & aduantage, to all intents against y^e lessees therof their executors & assignes, as the same lessors should or might haue had against the same lessees, so that if the lessor were seised of any especiall estate taile of the same hereditaments at the time of such lease, the issue or heire of that especiall estate shall haue the reuerſion, rents, and seruices reserued vpon such lease, after the death of the said lessor, as the lessor himselſe might or ought to haue had, if he had liued. 32. H. 8. 28.

The wife shall be partie to euery lease made of her land.

3 The wife shall be made partie to euery lease made by her husband, of any manors, lands &c. being the inheritance of the wife, and euery such lease shall be made by indenture in the name of the husband and his wife, and she shall seale to the same, and the farme and rent shall be reserued to the husband and to the wife, and to the heires of the wife, according to her estate of inheritance in the same, and the husband shall not in any wise alien, discharge, graunt or giue away the same rent reserued, nor any part thereof longer then during the couerture, without it be by fine leuied by the said husband and wife, but the same rent shall remaine, descend, reuert, or come after the death of such husband vnto such person or persons and their heires, in such sort as the lands so leased should haue done, if no such lease had thereof bene made. 32. H. 8. 28.

Vpon leases made by Colledges, the third part of the rent shall be reserued in coyne.

4 No Master, Prouost, President, Warden, Deane, Gouvernour, Rector or chiefe ruler of any Colledge, Cathedrall Church, Hall, or house of any learning in any of the Uniuersities of Cambridge, or Oxford, nor no Prouost, Warden, or other head officer of the Colledges of Winchester or Eaten, nor the corporation of any of the same, by what title stile or name soeuer they now be, shall, or may be called, shall make any lease for life, liues, or yeeres, of any their lands, tenements, or other hereditaments, to the which any tithes, arable land, medowe, or pasture doth or shall appertaine, except that the one third part at the least of the old rent, bee reserued and paid in coyne for the said Colledges, Cathedrall Church, Halls and houses, that is to say, in good wheat after vi. s. viii. d. the quarter, or vnder, and good mault, after v. s. the quarter, or vnder, to be deliuered yeerly vpon daies prefixed, at the said Colledges, Cathedrall church,

church, Halls or houses, And for default thereof, to pay to the said Colleges, Cathedral church, Halls or houses, in ready money, at the election of the said Lessees, their executors, administrators and assignes, after the rate as the best wheat & malt in the market of Cambridge, for the rents that are to be paid to the use of the house or houses there: and in the market of Oxford, for the rents that are to be paid, to the use of the house or houses there: and in the market of Winchester, for the rents that are to be paid to the use of the house or houses there: & in the market of Windsor for the rents that are to be paid to the use of the house or houses at Eaton, is or shall be sold the next market day before the said rent shall be due, without fraud or deceit. And all leases otherwise hereafter to be made, and all collateral bonds or assurance to the contrary by any of the said corporations, shall be void in law to all intents and purposes. The same wheat, malt, or the money coming of the same, to be expended to the use of the relieve of the commons & diet of the said Colleges, Cathedral church, Halls and houses only, and by no fraud nor colour let nor sold away from the profit of the said Colleges, Cathedral church, Halls and houses, and the fellows & scholars in the same, and the use aforesaid, upon paine of deprivation to the governor, and chiefe rulers of the said Colleges, Cathedral Church, Halls and houses, and all other hereto consenting. 18. Eliz.

5 But this act, or any thing therein contained, shall not extend, or be in any wise prejudiciall to any lease to be made, of a barne called *Donnken barne* in *Suffex*, with a certaine portion of tithes, rising, growing, and being in the parish of Southweeke in the countie of Suffex, being parcell of the possessions of Magdalen Colledge in Oxford, so that the terme demised in and by the said lease exceed not the number of tenne yeeres, from and after the feast of Saint Michael the Archangel next coming. Neither shall this Acte extend to any lease to be made by the President and Scholars of the Colledge of Saint John Baptist in Oxford, to any heire male of Sir Thomas White, late Knight and Alderman of London founder of the said Colledge, which lease shall be made according to the meaning of the foundation & statutes of the said Colledge, of the Manor of Fiefield, and none other hereditaments. 18. Eliz. a statute not printed.

*Donnken
barne in
Suffex.*

*Fiefield demised
to White.*

1 For the validitie and strength of all leases made by any Abbots, Priors, Nunnes, Masters of Colleges, Chauntries &c. before their severall dissolutions &c. S. Monasteries 4.9.11.12.26.

2 What leases or other acts made by the husband only, or by the husband and wife of lands of the wife, shall bind her or her heires. See Women, 5.

3 What leases or other assurances may be made by any Bishops of their lands. S. Ecclesiast. 6.

4 What leases or other assurances may be made by any Master and fellowes,

Leases. Leetes, Liberties, Lawdaies, &c.

fellowes, Deane and Chapter, Parson, Vicar, or other hauing spirituall liuings. S. Ecclesiast. 7. 8.

5 How long leases of benefices with cure shall endure. S. Ecclesiast. persons. 9. 10. 11.

6 In what cases any spirituall person may take by lease any lands, Personage or Vicarage, and in what not. S. Ecclesiast. persons. 14. 16.

7 For leases made by tenant in taile of lands, whereof the reuerfion is in the Queene. S. Recoueries. 4.

8 That a lessee for yeeres may falsifie a recouerie had against him in the reuerfion. S. Recoueries. 8.

9 What remedie the recouerors haue against the tenant for terme of yeeres of lands recouered for rent due, or waste committed. See Recouerie. 8.

10 That lessees shall haue the same aduantage against the grauntees in reuerfion, that they might haue had against the grauntors. See Condition. 2.

11 Where lessees for life or yeers, are compellable to make Partition. S. Partition. 4.

12 That no stranger Artificer not being Denizen, may take a lease of any dwelling house or shoppe. S. Aliens 14.

Leetes, Liberties, Lawdaies, and stewards thereof.

Of what things stewards in Leets shall enquire.

Stewards in their Leets shall enquire by the othes of the Iurozs, of all the chiefe pledges or hedboroughes, or their dozens which owe suit to the Court, be come.

And also if all the Iurozs which owe suit to the Court, be come, and who be not.

And if there be any of the Lords villaines which haue fled away, and do continue in any other place, sauing in the Queenes demeans, and if they haue continued in the same demesnes by the space of a yeere and a day, and if any of the said villaines be in any other Leet sauing in this.

And of Customes and seruices due to this Court withdrawen, how, by whom, and in what Bailifes time.

And of Purprestures made in any land, wood, or water to annoyance.

And of walles, houses, hedges, ditches, made vp, or broken downe to annoiance.

And of boundes pulled vp and caried away.

And of waies and pathes streightned or stopped.

And of waters stopped, or turned, or lead out of the right course.

And of breakers of houses, and common theeuers, and of their receiuers.

And of those which commit petite larcenie in stealing of hens, geese, or sheafes of corne.

And of theeuers which steale clothes through windowes and walles.

And of those which go in the message of theeuers.

And

And of huies and cries leuied and not pursued.

And of the escape of any felon.

And of outlawes which retorne without the Queenes warrant.

And of bloudshed, and affraies committed.

And of the rauishment of any woman which was not presented before the Coroner.

And of Clippers and forgers of money.

And of treasure found.

And of sellers of Cloth, and Curriers of leather dwelling out of market townes.

And of the assise of bread and Ale broken.

And of false measures, false balances and weights, and of those which haue double measure, and buy by the greater, and sell by the lesser.

And of those which do continually haunt Tauerne.

And of those which do sleepe by daie and watch by night, and fare well, and no man knoweth whereof they liue.

And of those which take Doones in winter by anie engins.

And of any person imprisoned which is after let go without warrant.

And of those which doe flee into any Church or Churchyard, and after depart without doing that which they ought to doe. 18. Ed. 2.

2 Stewards of Leetes shall enquire, heare, and determine in their Leetes all offences committed within their iurisdiction contrarie to the statute provided. 5. Eliz. touching Tanners, Curriers, Shoemakers, and other artificers occupying the cutting of leather, and also shall by their discretions examine all persons suspected to offend the said act, or anie part thereof. 5. Eliz. 8. S. Leather. Cordwainers.

3 Stewards of Leetes in their Leetes haue power to enquire of all attachments made by the officers of the Courts of the East marches, or West marches, out of anie of the Counties of Westmerland, Cumberland, or Northumberland, or the towne of New Castle vpon Tyne, and herein to proceed, as they may vpon presentments taken before them in their Leetes, of trespassse or affraies made against the Queenes peace, 1. H. 6. 3. S. Marches. Attachment in the marches.

4 Stewards in Leetes and lawdaies shall and may enquire, heare, and determine all offences committed within the limites of their iurisdiction, contrary to the statute provided. 1. & 2. P. & M. for the reformation of excessse in apparell, and where any forfeiture shall be found within the precinct of any Leete or lawday, then the owner of the same Leete &c. shall haue the one halfe, and he that will sue in any Court of Record the other, and euerie Steward of Leete &c. hath authoritie vpon the conuiction of uerie such offender to award processe vnto the Sherife of any Shire for the apprehension of anie such offender, which being apprehended shall be committed to the Gaole &c. 1. and 2. P. and M. 2. See Apparell. 17. 18.

5 Stewards

Leetes, Liberties, Lawdaies, &c.

Apparell.

5 Stewards in their leetes and lawdaies, may enquire of all offences, & forfeitures committed contrarie to the stat. provided. 24.H.8. for the reformation of excesse in apparell, and to asseſſe fines vpon the offenders according to the said stat. 24.H.8. 13. S. Apparell. 1. &c.

Destroying of
Spawne.

6 The Lord of euerie Leete hath authoritie to enquire of all the offences committed contrarie to the purport and forme of the stat. provided (1.Eliz. for the preservation of Spawne and Frie of fish) within the precinct of the said Leete, such enquire to be had in maner & sort as common amerçiaments, or other things enquireable in leetes haue bene lawfully vsed to be made, and vpon euerie such presentment had in any leete or Court by the othe of twelue men, of any offence made contrary to the said statute, al forfeitures appointed for such offence shalbe vnto the Lord of the said Leete, and shalbe leuied as amerçiaments for affraies committed within the precinct of such leete haue bene vsed to be leuied. And if the Steward of a leete or some other for him do not charge the Iurie sworne in euerie leete to enquire of all offences done within the precinct of the same leete, concerning the killing of Spawne or frie of fish, Kipper, or Shedder, Salmon, or Trouts, Pickrel, Salmon, Trout, or Barbel, being not of lawfull length, and concerning the mash of nets, and other engins, he shal forfeit for euerie offence xl. s. to the D. and him that wil sue for the same. And if any Iurie sworne in a leete hauing charge to enquire of the premisses doe willingly conceale and make default in presentment of the offence and offenders, then the Steward or Baylife or their deputie may impanell another Iurie within the same leete, to enquire of such concealement, which being found, euerie of the Iuroys so concealing, shal forfeit. xx. s. to the L. of the leete for euerie offence. Sauing alwaies to all and euerie person and persons, bodies politique & corporat: and euerie of them, All such right, title, interest, claime, priuiledge, and conseruation, and enquire, and punishment, of and for any the offences aforesaid, As they or any of them lawfully haue and enioy, or of right ought to haue and enioy by any maner of meanes: any thing &c. notwithstanding. 1.Eliz. 17. 35. Eliz. 7. S. Fish. 3. 4.

Offence.

Making of
Mault.

7 The Steward in euerie Leete shall haue full power and authoritie, to enquire, heare and determine, aswell by presentment of xii. men, as by accusation or information of two honest witnesses, of, for, and vpon all and euerie the offences and forfeitures committed (contrary to the stat. provided. 2.Ed. 6. for the true making of Mault) aswell for the Queene as for the party, that shall sue, procure, or cause the same to be presented. 2.Ed. 6. 16. 35. Eliz. 7. S. Mault.

Artillerie.

8 Stewards of franchises, leetes, and lawdaies haue power to enquire of all & euerie branch of the statute provided. 33.H.8. for the maintenance of artillerie, of butts, and of the making & selling of bowes in their leetes and lawdaies, & to heare and determine the same. And also by their discretion

discretion to examine all persons not hauing bowes, shafts, and arrowes according to the said stat. And where any forfaiture giue by the said stat. halbe found in any leete, the Lord of the same leete shall haue the moitie hereof. 33. H. 8. 9. S. Plaies. 7. Archerie.

9 Stewards of leetes at their leetes haue authoritie to enquire, heare ^{Witailers,} and determine all and singular offences committed by ^{Artificers,} witailers, artificers, workmen, and labourers, against the stat. for them provided 2. Ed. 6. to punish the offenders according to the tenor of the same stat. 2. Ed. 6. 5. S. Artificers. 1.

10 Stewards of leetes, liberties, and lawdaies at their leetes and ^{Busters.} lawdaies shall and may from time to time, enquire, heare, and determine every of the offences committed contrarie to the Act provided 4. & 5. H. 10. H. for the taking of Busters within the precinct of their Leete or libertie. 4. and 5. H. and H. 3. S. Capitaines 12. 13. 14.

11 It is lawfull to all Stewards and Bailifes in their severall ^{Crossebowes,} leetes and Lawdayes, to enquire, heare, and determine every offence ^{Handgunnes,} committed contrarie to the tenor of the statute made 33. H. 8. concerning crossebowes and Handgunnes, so that alwaies no lesse fine then x. li. be assessed upon every such presentment and conviction; the one moitie of every such fine to be leuied to the vse of the Queene, and the halfe of the other moitie to the owner of the Leete or Lawday, by distresse, or action of debt, and the other halfe of the said moitie to be to the partie that will sue for the same in any of the Queenes Courts by A. J. &c. wherein no A. E. H. &c. And if any Jurie sworn and charged to enquire for the Queene, of any offences committed contrarie to the said statute, do wilfully conceal any of the said offences: then the Stewards or Bailifes be- fore whom any concealment shall be had, haue authoritie to charge and heare another Jurie of twelve or more, to enquire of such concealment: And if such concealment be found and presented by the said Jurie, then every of the first Jurie shall forfait for every such concealment of every offence xx. s. the one moitie to be leuied to the owner of the Leete or law- day by distresse, or action of debt, and the other to the J. to be recovered by A. J. &c. wherein no A. E. H. &c. But if the presentment or suit for any of the said forf. be not commenced within one halfe yeere next after the offence committed, then the offender shall be thereof cleerely discharged. 33. H. 8. 6. S. Gunnes.

2 The Steward of every Leete or Lawday hath authoritie to en- ^{Highwayes;} quire by the othes of the suitors, of all offences committed within the Leete or lawday against every point and article of the statute provided 2. 3. H. and H. for the amending of Highwayes, and to assesse such rea- sonable fines and amerciaments for the same, as shall be thought meete by the said Steward, and the Steward shall make estreats indented of the fines, forf. and amerciaments for the defaults presented before him,

Leetes, Liberties, Lawdayes, &c.

him, and shall deliuer the one part thereof sealed and signed by him to the Bailife or high Constable of euery hundred, rape, lath, or wapentake, wherein the defaults shall be presented, and the other to the Constable and Churchwardens of the parish wherein the defaults were made, to be deliuered verely within sixe weekes next after the feast of S. Michael the Archangel. 2. and 3. H. and H. 8. 5. Eliz. 13. And the said Stewards in their Leetes and lawdayes shall heare and determine euery offence, matter, and cause, that shall grow or arise by reason of the statute provided 18. Eliz. for the amending of High wayes. 8. Eliz. 9. S. Highwaies.

Breed of
Horses.

13 All Stewards of Leetes and Lawdayes, in the same Leetes and lawdayes haue authoritie to enquire of all defaults, contempts, omissions, and offences committed contrarie to the effect of the statute provided 32. H. 8. concerning the breede of Horses of higher stature, and all presentments thereof found shall be certified by the Steward, deputie Steward, or court holder of the same Leete or lawday in the next general Sessions of the peace to be holden in the Countie where such presentment shall be found, or vnto the Custos Rotulorum of the same Shire within xl. dayes after the presentment made. And if any such Steward deputie, or court holder, imbesil or conceale any such presentment, or do not certifie the same as is aforesaid, he shall forfeit. for euery offence xl. s. to the D. and J. that will lye for the same before the Iustices of peace in their quarter Sessions by A. J. &c. But the forfeit. of xl. s. for putting to pasture any horse, gelding, or mare, infected with scab or mange, vpon an forest, chases, marishes, wast grounds, or common fields, shall be to the Lord of the Leete, where the offence shall be presented. 32. H. 8. 13. S. Horses 3. 4. 5. 6. 7. 8. 9.

Horsebread.

14 Stewards in their Leetes and Lawdayes haue authoritie to enquire and determine euery default and offence of hostlers making Horse bread not sufficient, lawfull, and of due assise, according to the price of corne, committed within the limits of their iurisdiction contrarie to the statute in that case provided. 32. H. 8. 41. S. Inholders 2.

Tracing of
Hares.

15 Stewards of Leetes haue authoritie to enquire of such as do trace, destroy, and kill any Hares in the snow, with dogge, bitch, or other wise, and after such inquisition found, the said Steward shall assesse vpon euery such offender vi. s. viii. d. to be forfeited to the Lord of the Leete 14. H. 8. 10. S. Hunters 2.

Wines.

16 The Steward in euery Leete hath authoritie to enquire by the othes of xii. lawfull men, of all offences committed contrarie to the statute provided 7. Ed. 6. to auoid the great prices and excesse of Wines and euery such enquirie and presentment so taken and had, shall be of such force, as if the same were taken in the K. Bench. And euery of the paines penalties, and forfeit. to be due by force of the said act, for any offence committed by any person, which shall be found by presentment before the said

Steward

Steward, by verdict of xii. men, (and no bill, plaint, action, or information thereof commenced in any of the Queenes Courts of Record) shall be equally deuised into two parts, whereof one shall be to the Q. and the other to the poore of the towne or place where such presentment shall be found. 7. Ed. 6. 5.

17 Stewards of Leetes, liberties, and lawdaies, within their seuerall iurisdictions, shall and may heare, enquire, and determine of all and euery offence or offences, which shall be committed within the precinct of their liberties, iurisdictions, or franchises, against the tenour of the act made An. 23. El. for the preservation of ffeasants and Partridges. 23. Eliz. 10. S. Feasants 2. 3. 4. 5.

Feasants and
Partridges.

18 All and euery Lord and Lords of leete and leetes and their Stewards within the precinct of his and their Leete and Leetes, shall haue full power and authority within their seuerall Leetes, to enquire and to take presentment by the othe of Iurozs, of all and euery offence and offences committed contrarie to the statute made An. 31. El. against the erecting & maintaining of Cottages and Inmates, and vpon such presentment had or made to leuie by distresse to the vse of the Lord of the Leete all such summes of money as so shall be forfeited. And mozeouer it shall be lawfull for the Lord of euery such Leete where such presentment shall be made, to recouer to his owne vse any such forfeiture by action of debt in any of the Queenes Courts of Record wherein no C. C. P. &c. 31. El. 7. S. Cottages. Iustices of peace 101.

Cottages.
Inmates.

1 The statute prouided 1. Ma. 12. and 1. Eli. 17. against vnlawfull and rebellious assemblies, shall be read at euery Leete and Lawday, or the effect thereof declared. And so shall the statute made 5. Eliz. 1. for the assurance of the Queenes power ouer all estates.

2 That the forf. of xx. s. for watering of Hempe is to be recouered in a Leete. S. Hempe 1.

3 At what time of the yere a Leete is to be holden. S. Turne 1.

4 That the Lord of a Leete shall haue the third part of the forfeiture for putting flesh to sale vpon fish daies. S. Fish daies 2.

Leather, Tanner, Currier, Shoemaker.

If any Butcher, or other person shall gash or cut the hide of any Bull, Ore, Steere, or Cow, whereby the same shall be impaired, or if any Tanner offer, or put to sale any such hide so gashed or cut, he shall forf. for euery such hide xx. s. 5. El. 8.

Gashing of
hides.

2 If any person (which at the feast of Saint Michael, Anno Dom. 1559. had not landes, rents, profits &c. of some estate of freehold to the cleere perely value of fortie pounds or aboue, or whose Tanhouse was not at the same feast, is, or shall be in a Citie, Borough, Towne corporate, or market Towne, where Searchers and sealers of Leather be vsually appointed) do tanne any leather, or take any profit thereby, he shall forfeit

Who may be
a Tanner.

Leather, Tanner, Currier, Shoemaker.

all the same Leather: except such as at the said feast had any Tanhouse, & did occupie tanning of Leather, and accept an apprentice to a Tanner, and except such as were then, or since, or hereafter shall be taught as couenant or hyed seruant for that purpose by the space of vii. yerres in the mystery of Tanning, or wife to a Tanner, or sonne of a Tanner, which hath bin brought vp, and vsed the mystery of tanning of leather by the space of foure yerres, or the sonne or daughter of a Tanner, or such person shall marry such wife, or daughter to whom a Tanner shall leaue his Tanhouse and fattes. 5. Cl. 8.

How long the
hide shall lye in
lyme.

3 If any person vsing the mystery of tanning of leather, by himselfe or any other, do suffer any hide or skin to lye in the lyme a longer time then the haire falleth off, or may be taken off, or shall put the same into the lyme after the haire may be taken off, he shall forfeit the same hide, or the value thereof. 5. Cl. 8.

What stuffe
may be im-
ployed about
tanning.

4 If a Tanner imploy any licour, stuffe, or workmanship, about the tanning of leather, but onely lyme, coluerdung, or hendung, and that in cold water onely, and woses made of cold water, and Oken barke onely, without mixture of any other thing, he shall forfeit the same leather, or the value thereof. 5. Cl. 8.

No hide shall be
put in tan wo-
ses that be
whote, nor shall
be frozen.

5 If a Tanner by himselfe or any other, put any hide or skin in tanne woses or licour made whote or warmed in any vessell, to be set or couered in any tanhill, or otherwise, or do ouer lyme any hides in the lyme pits, or put any hides into any tanfats or vessels before the lyme be perfectly sake ned & wrought out of them, or shall lay or hang his Leather wet in the frost, untill the same be frozen, or shall drie or parch his leather with the heate of the fire, or Summer sunne, he shall forfeit the same hide or leather, or the value thereof. 5. Cl. 8.

Rotten hides
or euill
wrought.

6 If a Tanner by himselfe or any other, shall tan any hides being putrified, rotten, or tanned by any meanes, or shall negligently worke then in the woses, or shall not renue the woses as often as need shall require, he shall forfeit the same hides, or the value thereof. 5. Cl. 8.

How long lea-
ther shall lye
in woses.

7 If a Tanner by himselfe or any other, do suffer the hides for the bette sole and clout leather to lye in the woses any lesse time then twelue monethes, and for the vpper leather to lye lesse then nine monethes at the least, or shall insufficiently tan any hide, or shall tanne any Dre, Steer or Cowe hides otherwise then whole, without cutting of any bellye (commonly called wombes) or peeces from the same, (hides or clout leather to bee cut into three or foure bendes ouerhwart the whole hyde onely except) or shall put to sale any Tanned hyde raced by the workmanship, or otherwise, or by vsing any other thing or stuffe, or in other sort then is here limited, he shall forfeit the same, or the value thereof. 5. Eliz. 8.

Insufficient
tanning or
curing.

Unwrought
leather.

8 If any person put to sale, exchange, or depart with, any kinde of tanne

tanned leather, red and unwrought but sufficiently tanned, and thoroughly dried, and but in open Faire or Market, in the places therefore prepared, or before the same be Searched and sealed: Or do sell, exchange, or depart with any Dre, Steere, or Cowe hide, but onely whole without cutting any wombes or other peeces (except clouting leather to be cut in bends as is aforesaid) before the same be searched and sealed, he shall forfeit the hides, skins, or leather so sold, or the value thereof, and vi. s. viii. d. for every hide or peece of leather, & iii. s. iiii. d. for every dozen of Calves skins. 5. Eliz. 8.

9 If a Tanner shall occupie the mystery of a Shoemaker, Currier, Butcher, or of any Artificer using cutting, or working of leather, he shall not use other occupations. forfeit every hide and skin so wrought or tanned, during the time that he shall use the mystery of tanning, or the value thereof. 5. Eliz. 8.

10 If a Tanner shall tanne any Bull hide, Horsehide, or Sheeps skin, or put to sale, exchange, or depart with any of the same being tanned, he shall forfeit the same, or the value thereof. 5. Eliz. 8. Bul hide, horse hide, sheepe skins.

11 If any person shall buy, make any contract for, or bespeak any rough hides, or calves skinnies in the haire, but only such as shall taw the same, or such as by this statute may use the mystery of tanning, & shall tan the same (except salt hides for the necessary use of ships) he shall forfeit the same hides and skins so bought, or the value thereof. 5. Eliz. 8. Skinnes in the haire.

12 If any person do buy, bespeak, or take promise to have any tanned leather not wrought and converted into made wares, but onely such as wil worke and convert the same into made wares, he shall forfeit the same leather, or the value thereof. But Sadlers and Girdlers may sell their reckes and shreds of red tanned leather without incurring any forfeiture. And every artificer and other person using to convert tanned leather into made wares, as wel Stranger borne as other, may lawfully buy all kind of tanned leather, to convert the same into made wares, at Leaden hall in London upon every Monday, the same being first duly, searched, sealed, and Registered, as is hereafter limited. The hide and skins of Dre, Steere, Bull, Cow, Calfe, Deere red and fallow, Goats and Sheepe being tanned or tawed, and every salt hide, is, and ever hath bin reputed leather. Buying of tanned leather to be converted into made wares. What hides or skins be called leather. .El. 8. See 36.

13 If a Currier doe currie any leather in any other persons house, Currier. but onely in his owne, and that being scituate in a corporat or market towne, or do currie any leather being not well tanned, or not thoroughly dyed after his wet season (in which wet season he shall not use any stale, yne, or other deceitfull mixture, or meanes to corrupt the same) or do currie any leather meete for utter sole leather, with any other stuffe ben with hard tallow, or any leather meete for ouer leather and inner soles, but onely with fresh stuffe, and not salt, and both thoroughly dyed as much as the leather will receive, untill it can receive no more,

Leather, Tanner, Currier, Shoemaker.

or shall burne or scalde, or haue too thin, any Leather in the currying, or doe not worke the same sufficiently in all points, he shall forfeit for euery offence vi.s.viii.d. and the value of euery such hide or skinne so marred &c. 5.Eliz..8.

Currier hur-
ting leather.

14 If a Currier shall gash or hurt any leather in hauing, or by other meanes, hee shall forfeit to the partie grieved double so much as the Leather shall be impaired thereby. All currying and dressing of Leather called drie currying, and frising, shall be construed to be dressing and currying after the maner of Spanish leather, of what colour soeuer it be. 5.Eliz..8.

Drie currying
and frising.

Currier exer-
cising an other
trade.

15 If any Currier shall exercise the feat of a Tanner, Cordwainer, Shoemaker, Butcher, or other Artificer vsing cutting of Leather, during the time that he shall occupie the Mysterie of a Currier, he shall forfeit vi.s.viii.d. for euery skin that he shall curry, during the time that he shall so vse any of the mysteries aforesaid 5. Eliz..8. Neither shall any Sadler, Girdler, Cordwainer, or other Artificer dwelling in London, or the sub-urbes thereof, which shall cut Leather to make wares thereof, currie or dresse any thereof in his owne house, or by his seruants vpon paine of forfeiture thereof to the D. and J. to be recovered by A. J. &c. wherein no C.A. C.P. &c. 5. Ed. 6. 19.

Within what
time leather
shalbe curried.

16 If a Currier refuse to currie any leather to him brought for that purpose by any cutter of leather, or his seruant bringing with him good stuffe for the perfect licozing of the same, in the presence of the said cutter or his seruant, if he will be present, or els in his absence, and that in all thinges well, and within five daies in the Summer, and x. daies in the Winter, after he shall take the same in hand, he shall forfeit to the party grieved for euery peece of Leather not in this maner curried and speedily dressed x.s. 5. Eliz..8.

Wardens of
the Curriers
shal search and
seale leather.

17 If the Wardens of the Curriers or their assignes, do not search & seale all Leather brought to any of their Company to be curried, which shall be sufficiently curried, within one day after currying and request, taking for euery hide after the rate of a peny for the Dicker, and for six dozen of Calues skins a peny of the Currier, they shall forfeit for euery hide so not searched and sealed vi.s.viii.d. 5. El. 8.

Currying of
leather in Lon-
don.

18 If any person dwelling in London, or being free of the City dwelling within three miles of the same, occupying wet curried leather in his art, shall put any Leather to be curried, but to such persons as shall be free of the Company of the Curriers in London, he shall forfeit all such leather or the value thereof. 5. El. 8.

Shoemaker.

19 If a Shoemaker shall make, or cause to be made any bootes, bukins, shoes, startups, slippers, or pantables, or any part of them of English leather wet curried, (other then Deeres, Calues, or Goates skinner made or dressed like vnto Spanish leather) but of leather well tanner

and curried, in forme aforesaid, or leather well tanned on ly, and wel sewed with good thread, wel twisted, and sufficiently wared, with ware wel re-
ned, and the stiches well drawen with hand leathers, without mixing of
Heats leather and Calues leather in the ouer leather, he shall forfait for e-
uery paire of shoes, bootes &c. made, sold, or put to sale to the contrary iii. s.
iiii. d. and the value of the same. 5. Eliz. 8.

20 If a Shomaker shal put, or cause to be put into any parts of shoes, boots, buskins, startups, slippers, or pantables, leather made of sheep skin, bul, or horse hide, or into the vpper leather of any shoes, startups, slippers or pantables, or into the neather part of any boots (the inner sole & heeles of the shoes only excepted) any part of a hide from which the sole leather is cut, called the womb, neck, shank, flank, pole, or cheek, or into any vtter sole ny other then the best of the Dre or Steere hide, or into the inner sole, or ther then the wombs, neck, pole, or cheeke, or in the trefwels of the double soled shoes other then the flanks of the foresaid hides, he shal forfait for e-
uery paire &c. iii. s. iii. d. and the value of the same 5. Eliz. 8.

What leather a shomaker shal put into his ware.

21 If a Shomaker do make betweene the last day of September, and the xx. of April, any shoes, boots, buskins, startups, or slippers meete for a-
ny person to weare, exceeding the age of 4. yerres, wherein shall be any drie English leather (other then calues or goates skins made or dyessed like vnto Spanish leather) Or shall shew to the intent to sell any shoes, boots, &c. vpon the Sunday befoze diuine seruice in the forenoone be ended, he shal forf. for euey paire made, sold, shewed, or put to sale to the contrarie iii. s. iii. d. and the value thereof. 5. Eliz. 8.

No winter wares shalbe made of drie Leather.

Selling wares vpon the Sunday.

22 The Maior and Aldermen of London shall yerely vpon paine of xl. li. (to be forfaited to the Queene & I. &c.) appoint iii. Searchers, which being swozne, shall once euey quarter of the yere at the least, make true search of all wares made of tanned leather in euey house and place with-
in the Citie of London and thzee miles of the same where any Shoma-
ker, Sadler, Gyrler, or other Artificer vsing cutting of leather doth dwel or occupy any of the occupations of cutting of leather, and after Search shall make true presentment in wyting to the Maior and Aldermen, of e-
uery default they or any of them shall find in the making, selling, or put-
ting to sale of any boots, buskins, startups, shoes, bydles, saddles, or other things, or wares made of leather contrary to the true meaning of this act.
5. Eliz. 8.

4. Searchers within London

23 The Maior and Aldermen shal vpon the like paine yerely appoint other foure expert and honest persons, which being swozne shall search e-
uery tanned hide, skin or leather, which shall be brought to Leaden hall Market, or to any other faire or Market within thzee miles of the Citie, and so many as they shall find sufficiently tanned, they shall seale with a seale for that purpose prepared, which shall remaine in the custodie of one of them. 5. Eliz. 8.

Sealing of Leather.

Leather, Tanner, Currier, Shoemaker.

Leather brought
to Leaden hall.

Bartholmew
Faire, South-
wark market.

Searchers in
townes, liber-
ties, faires.

Oxford
Cambridge.

24 If any person bring to his house in London any red tanned leather, be it bought or sold before or not, before he bring the same to Leaden hall to be viewed whether it hath bin searched or sealed, & to be registred by the Searchers with halfe the fees hereafter expessed therfore to be paid, for leather to be sold in Leaden hall, he shall forfeit for euery hide vi. s. viii. d. to the Queene and A. to be recovered by A. J. &c. wherein no T. C. P. &c. But this article extendeth not to the Leather brought to Bartholmew Faire or Southwark Market, searched, sealed, and registred, according to this Act. 5. Eliz. 8.

25 All Maiors, Bailifes, and other head officers of Cities, boroughs, and Market townes, and all Lords of liberties, faires, and markets, shall vpon paine of xl. li. (likewise to be leuied and imploied) appoint and sweare perely two, three, or more honest and skilful men, to search and view within their offices or liberties, which shall as often as neede shall be, or they thinke good, make like search within their limits, and shall haue a seale or marke for that purpose, which one of them shall keepe, and therewith shall seale or marke such leather as they shall find sufficient and no other. And if they or any of them find any leather sold, or offered to be sold, or brought to be searched or marked insufficiently tanned or curried, or any boots, shoes, or other thing made of tanned or curried leather insufficiently tanned, curried or wrought contrary to this statute: it shalbe lawful for them to seise the same as forfeit, and to retaine the same in their custody, until it be tried by fire expert men appointed by such Maior, Bailife, &c. within whose liberty such seisure shalbe, and that triall to be made within xv. daies after such seisures vpon the othes of the tryers. And the said sealers and searchers shall within the limits of their searches, keepe a booke or register, & vpon request to them made by the buyer or seller, shal register all such bargaines, as shalbe made for leather, hides and skins, and the names & dwelling places of all such persons which shall buy and sell any Leather, hides, or skins during the time of the Faire or Market with the prices, vpon pain of forfeiture of iii. s. iiii. d. for not registering of euery Dicker of Leather, and iii. s. iiii. d. for euery dozen of Calues skins, and so after the rate. And the said Searchers and Sealers shall take for their paines for sealing of Leather, cutting of the wombes, and registering thereof, of the seller of euery dicker of Leather so entred ii. d. And for euery vi. dozen of Calues skins ii. d. and of the buyer after the same rate, and no more vpon the paine aforesaid. But this act is not prejudiciall to the Chauncelors, Vicechauncelors, Taxors and Schollers of the Uniuersities of Oxford and Cambridge, concerning the authority of search of tanned leather, or any the forfeitures for the same, which they lawfully had before the making of this act, so as they obserue such order in all thinges about searching, sealing, and registering of leather, as by this act is appointed, vpon the paines contained in the same. 5. Eliz. 8.

26 If any searcher so appointed, shall not doe his duetie, as in refusing to seale good Leather, making default in search, in allowing that which is insufficiently tanned, curried or wrought, or in concealing of faultes, the Mayor, Bailife, Lord of Faires, and other persons which shall appoint such searchers and sealers, shall forfeit for every offence xli. s. to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 5. Eliz. 8.

If the searcher do not his duty.

27 If any person will deny the searchers appointed, to enter into his house, or other place to view and search all tanned leather and wrought ware, and to seise and carrie away all such as they shall finde insufficiently tanned, curried, or wrought of euill stuffe, he shall forfeit v. li. to the Queene and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 5. Eliz. 8.

Denying of search.

28 If the Searchers or Sealers aforesaid, doe not after the true tanning, and before currying of any Leather brought to be searched and sealed, cut off so much of the hide truly tanned, to be sold to a Shoemaker, Cordwayner, or Cöbler, into wombes, as they shall by their othes thinke vnnecessary to make better sole leather of, the said Shoemaker &c. shall forfeit for every hide not cut iii. s. iiii. d. and the searcher as much for every dicker of leather not so cut. And if a shoemaker &c. do carry any ore or steere hide tanned, whereof any sole leather shall be cut, out of any faire or Market whole before the wombs be cut off, he shall forfeit every such hide, or the value, and vi. s. viii. d. to the D. and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. But no person to whom such unlawfull Leather or stuffe shall be given by this act, shall giue or sell the same to any person that shall sell the same, vpon paine that the Buyer shall forfeit for every parcel sold contrary &c. vi. s. viii. d. 5. Eliz. 8.

Cutting of wombes.

No forfeited stuffe shall be sold.

29 If any person sell, exchange, or put away any tanned Leather red and unwrought, except he cause the same to be registred and the price thereof, he shall forfeit the value of the same Leather. And whosoever doth buy any tanned leather, before the same be searched and sealed, or doth carrie the same out of any Market or faire untill it be registred, he shall forfeit the same, or the value. 5. Eliz. 8.

Registring of Leather.

30 If any Currier, Shoemaker, Sadler, or other Artificer vsing, cutting, or working of Leather, dwelling in London, or within three miles compasse, do not currie, put into, make, and worke their wares belonging to their occupations, sufficiently and substantially according to the true meaning of this statute, the Wardens of euery of the said Companies shall forfeit for every offence done by any person vnder their order, suruey, and search v. li. And euery Artificer inhabiting within the Citie of London, or three miles compasse of the same, vsing any manuell occupation of cutting or working of Leather into made wares, shall contribute, pay, and be vnder the suruey and search of the Wardens of such Companies of the said Citie, as the Artificers commonly vsing the like

The wardens forfeit for the workemens offence.

Leather, Tanner, Currier, Shoemaker.

occupation being free men of the same City, and of the same Company be, concerning only the wares and stuffe made, of, or with leather, in like manner as other free men of the same Company doe to the Wardens of their Company within the said City. 5. Eliz. 8.

Wares in London shalbe sold in open place.

How the forfeitures shalbe employed.

31 If any Artificer vsing cutting of Leather, shall sell in London or within three miles compasse thereof, any wares belonging to his mysterie, but onely in open shop, common Faire or Market, he shall forfeit all the wares so sold, and x.s. for euery time. All which forfeitures aforesaid of summes of money (except such as are otherwise before disposed) shall be deuided into iii. equall partes: whereof one shall be to the Queene &c. another to him that wil first sue by A. J. &c. wherein no W. C. J. &c. and the third part shall go to the Citie, Borough, Towne, or Lord of libertie where the offence shall be committed. And all such Leather, bootes, &c. wares, stuffe, and other things made of tanned or curried Leather, which shall be found insufficiently wrought, tanned or curried, and by this act declared to be forfeited, and shall be seised by any person finding the fault thereof within London, or iii. miles compasse thereof, shalbe brought to the Guildhall, praised by indifferent persons, and the value thereof deuided into iii. parts, whereof the first seisor shal haue one, the Chamber of London another, and the third shall be distributed amongst poore people of the said Citie and circuit, by the discretion of the Maior and fower Aldermen &c. And all leather, bootes, shoes, and other wares insufficiently wrought, tanned or curried, which shall be found in any other Citie, towne or place, and seised as forfeited, shall be brought to the common Hall of such Citie &c. or to some conuenient and open place appointed by the Lord or his deputie where no Hall is, and there priced as is aforesaid, and one part shall be distributed amongst the poore, and in other deedes of charity in those parties, by the discretions of the Maiors, Bailifes, Lordes of liberties &c. And the other part deliuered to the Maiors, Bailifes, &c. to the vse of the Communitie of such Citie, borough, &c. And where no such officers be, to the Lord of the libertie where such forfeiture shall be committed, or seisure had. And the third part to the first seisor of such insufficient wares. 5. Eliz. 8.

Making of pelts.

32 It is not lawfull for any person to make any Pelts, that is to say, to pull, shear, clip, or take away the woll of any sheepskin, or lambskin, or to buy any skin of any Stag, Hind, Buck, Doe, Goat, Faune, or Kid, or the pelts or skins of any of them, vntlesse such person do make or cause to be made thereof tawed or vnlawfull tanned leather or parchment, or otherwise conuert the same into Selmits, Pannels, or other his owne necessarie vses, vpon paine that euery person so making pelts, or buying any of the pelts or skins aforesaid, shall forfeit the value of all such pelts or skins so made and bought, and ii. s. vi. d. for euery skin or pelt. 5. Eliz. 22. 8. Eliz. 14.

33 It shall not be lawfull for any person to lade, ship, or carry in any vessell or ship, or otherwise, any leather, tallow, or raw hides, of intent to transport the same into any place beyond the Seas, or into Scotland by land or by seas (other then Scottish hides to be brought to Warwicke. 5. Eliz. 8.) vpon paine of the forfeiture of the said leather, tallow, or rawe hides so laden or transported, and treble the value thereof, to be forfeited by the owner or owners. And also the owners of the said ships or vessels knowing of such offence, shall forfeit the said ships or vessels, with all their apparel and furniture to them belonging. And the Masters and Mariners knowing of such offence, shall haue imprisonment by the space of one yere, without baile or mainprise, and forfeit all their goods and catels to the Q. and J. to be recovered by A. J. &c. wherein no W. &c. P. &c. But if any owner of any such ship or vessel, or any Master or Mariner, knowing any such transportation of leather, tallow, or raw hides, shall within thre moneths next after his knowledge thereof, or after his returne into this Realme, giue good information bona fide before any of the Barons of the Eschequer, or before the Lord President or Counsaill in the North, or in the Marches of Wales, or before the head Officer of any Port where he shall first arrive, vpon his othe, of the number and quantitie of leather, tallow, and raw hides so transported, and by whom, where, and in what ship or vessel, and afterward shalbe ready vpon reasonable warning by proces, to iustifie and proue the same for the Q. then such owner, Master, or Mariner shal not forfeit his ship, nor incur the forfeitures aforesaid. 18. El. 8.

Transporting
leather, tallow,
or raw hides.

Owners of
ships.

Mariners.

34 Euery person which hath the Queenes licence to carrie ouer Sea any tanned Leather, may buy in open Faire or Market so much as he shall be lycenced to transport, so that the sayd lycence be shewed to the chiefe Officer of the said Faire or Market, which Officer shal write vpon the backside of the Licence, how much leather the partie lycenced hath bought, and the day, time, and place of buying the same, that thereby it may appeare, how, and when euery such licence shall be satisfied. 5. Ed. 6. 15.

Buying Lea-
ther to trans-
port by licence.

35 No person shall shippe or cause to bee shipped, (to the intent to transport ouer the Sea, as marchandizes to be sold or exchanged there) any shoes, bootes, buskins, startups, or slippers, vpon paine to forfeit the same to the Queene and him that wil seise or sue for the same, by A. J. &c. wherein no W. &c. E. P. &c. But this Act shall not be preiudicial to any person for transporting so much of the foresaid wares, vnto the Isle of Man, as is necessary for the furniture of the Queenes subjects there. 5. Ed. 6. 15.

Transporting
of shoes,
bootes, &c.

36 If any person doe buy or ingrosse any kind of tanned leather, to the intent to sel the same againe (except sadlers, girdlers, corbwayners, and other Artificers making wares of leather, which may buy such kinde of tanned

Engrossing of
tanned leather.

Limitation of prescription.

tanned leather as is necessary for their occupying to be wrought by them) he shall forf. the same, or the price thereof. But the foresaid artificers may sell their wombes, threds, & neckes which they cannot occupy about their wares, 5. Ed. 6. 15. See 12.

1 What subsidy or custome shall be paid for Leather transported, S. Custome 6.7.

2 For the shipping and transporting of certaine Leather. See Marchants 4.

Limitation of prescription.

Writ of right.

NO person or persons shall sue, haue, or maintaine any writ of right, or make any prescription, title, or claime, to or for any manors, lands, tenements, rents, annuities, commons, pensions, portions, corodies, or other hereditaments, of the possession of his or their aunccestor or predecessor, and declare & alledge any further seisin or possession of his or their aunccestor or predecessor, but onely of the seison or possession of his aunccestor or predecessor, which hath bin, or now is, or shalbe seised of the said manors, lands, &c. or other hereditaments, within 1r. yerres next before the Teste of the same writ, or next before the said prescription, title, or claime, so sued, commenced, brought, made, or had. 32. H. 8. 2.

60. yerres.

Actions possessarie.

2 No person nor persons shal sue, haue, or maintain, any Assise of Mortdauncester, Cofinage, Aiel, writ of Entre vpo Disseisin, done to any of his aunccestors or predecessors, or any other action possessary vpon the possession of any of his aunccestors or predecessors, for any manors, lands, tenements, or other hereditaments, of any further seisin or possession of his or their aunccestor or predecessor, but onely of the seisin or possession of his or their aunccestor or predecessor, which was, or hereafter shalbe seised of the same manors, lands, tenements, or other hereditaments, within 50. yerres next before the Teste of the originall of the same writ to be brought &c. 32. H. 8. 2.

50. yerres.

His owne seiso.

30. yerres.

3 No person nor persons shal sue, haue, or maintaine any action for any manors, lands, tenements, or other hereditaments, of, or vpon his or their owne seison or possession therein, aboue 30. yerres next before the Teste of the originall of the same writ to be brought &c. 32. H. 8. 2.

Auowry.

50. yerres.

4 No person nor persons shall make any auowry or cognisance, for any rent, suit or seruice, and alledge any seisin of any rent, suit or seruic in the same auowry or recognisance, in the possession of his or their aunccestors, or predecessor, or predecessors, or in his owne possession, or in the possession of any other whose estate he shall pretend or proclaime to haue aboue fiftie yerres next before the making of the said auowry or cognisance. 32. H. 8. 2.

Formedon.

5 All Formedons in reuerter, Formedons in remainder, and Scire facias vpon fines of any manors, lands, tenements, or other hereditaments, shall be sued and taken within fiftie yerres next after the titl

an

and cause of action fallen, and at no time after the said fiftie yerres passed. 32. H. 8. 2.

6 If any person or persons at any time doe sue any of the said actions or writs for any manors, landes, tenementes, or other hereditaments, or make any auowzie, cognisance, prescription, title, or claime, of, or for any rent, suit, seruice, or other hereditaments, and cannot proue that he, or they or his or their aunccestors or predecessors, were in actuall possession or seison, of, and in the same manors, lands, tenements or hereditaments &c. at any time within the yerres before limited in this Act, and in maner and forme as is aforesaid, if the same be trauesed or denied by the party plain-tife, demandant, or auowant, or by the party tenant or defendant: Then and after such triall therein had, all and euery such person and persons and heir heires, shall from henceforth be utterly barred for euer, of all and e-very the said writs, actions, auowzies, cognisance, prescription, title and claime hereafter to be sued, had, or made, of, and for the same manors, lands, &c. or other the premisses, or any part of the same, for the which the same action, writ, auowzy, cognisance, prescription, title, or claime shall be at any time had, sued or made. But if any false verdict happen to be gi-uen or made in any of the said actions, suites, auowzies, prescriptions, ti-tles or claimes, Then the party grieved by reason of the same, shall and may haue his Attaint vpon euery such verdict so giuen or made, and the laintife in the same Attaint, vpon iudgement for him giuen, shall haue his recouerie, execution, and other aduantage in like maner and forme, as heretofore hath bin vsed and accustomed: any thing &c. notwithstanding. 32. H. 8. 2.

Barre for de-
fault of seison
within the
time of limi-
tation.

Attaint vpon
false verdict.

7 But the former act made Anno 3 2. H. 8. or any matter therein con- tained shall not extend to any writ of Right of aduowson, Quare impe- dit, or Assise of Darrein presentment, nor Iure patronatus, nor to any writ of right of Ward, writ of Rauishment of ward, for the wardship of the bo- dy, or for the wardship of the lands, tenements or hereditaments holden by knights seruice, nor to the seisor of the wardship of the bodie of any ward wardes, nor to the seisor or wardship of any lands &c. holden by knights seruice. But euery person and persons, bodies politique and corporat, their exors and successors, shall and may haue and pursue all and singuler the said writs of right of aduowson, Quare impedit, Assise of Darreine pre- sentment, Iure patronatus, writs of writ of ward, Rauishment of ward, and also seise the Wardship both of the body and of the landes &c. hol- den by Knights seruice, in like maner to all intentes, as they or any of them should or might haue done before the making of the said Act made 2. H. 8. Anno 1. H. 5.

Right of ad-
uowson.

Assise of Dar-
rein presentment.

Ward.

Linnen cloth.

If any person English or Stranger, Denizen or Alien, doth put to sale any whole peece, or halfe peece of Linnen cloth called Dowlas or Lock- rum,

The contents
of Dowlas and
Lockrum.

Liuary and Ouster le maine.

rum, vnlesse there be mention expessed vpon euery of the said whole peece or halfe peece so put to sale, the whole number of the yards or elles that is contained in the said whole peece, or halfe peece, he shal forf. the said whole peece or halfe peece to the Q. and him that will seise and sue for the same by A. J. &c. or otherwise, wherein no C. A. &c. E. &c. 28. H. 8. 4.

Stretching or
impairing of
Linnen cloth.

2 If any person do wittingly cast or cause to be cast any peece of linnen cloth ouer a beam or peece of timber, & doth by any deuise rack, stretch, and draw the same of length and bredth, and then doth with battledors, peeces of timber & wood, beate the same, and cast thereupon any deceitful licozs mingled with choke or other like things, or doth wittingly vse, or cause to be vled any other act or mean, to, in, or with, any kind of linnen cloth, whereby the same shal be deceitful or worse, to & for the good vse thereof: then he shal forfait his said cloth to the Q. and J. and suffer one monethes imprisonment at the least, & pay such fine as shal be assessed by the Iustices, befoze whom he shal be condemned. 1. El. 12. S. Iustices of peace 61.

Liuary and Ouster le maine.

The Q. shall
haue primer
seisin.

The Queene shal haue primer seisin after the death of those which hold of her in chiefe, of all the lands & tenements whereof they were seised in their demeane as of fee, of what age soeuer their heires be, by taking the issues of the same lands vntill inquisition be made, as the custome is, & that she hath receiued the homage of such heires. Prerogatiua regis 17. Ed. 2. 3. Marleb. 5. 2. H. 3. 16.

An heire en-
tering into
lands holden
of the Queene
without liuary.

2 When any person which holdeth of the Q. in Capite doth die, & his heire doth enter into the land that his auncestoz held of the Q. the day of his death, befoze he hath done homage to her grace and receiued of her seisin, he shal thereby gaine no freehold, and if he die seised during that time, his wife shal not be endowed of the same land. But this is not ment of Socage and smal tenures, Prerog. Reg. 17. Ed. 2. 13.

The heire of
full age found
within age.

3 If it be found for the Q. &c. that the heire or heires of her tenant or tenants is or be within age, where in deed such heire or heires is or shall be at the same time of full age, or of a moze or greater age then is contained within such office: In euery such case such heire or heires shal and may at his or their verie full age or after, prosecute a writ of Astate probanda And sue his or their Liuary or Ouster le maine, as his or their case shal lie and haue the profits of his or their lands &c. from that time of his or their verie full age: any such vnttrue office, or any law or custome notwithstanding. 2. Ed. 6. 8.

Liuries be in
the order of the
court of wards.

4 All liuries to be sued out of the Queenes handes, her heires and successors of any landes, tenementes, rents, reuerfions, remainders, or ether hereditaments whatsoeuer, shal be in the order, suruey and gouernance of the Court of Wardes and Liuries, and the ministers of th same. And the Master, Surueioz, Atturney, and generall Receiuer of the said Court, or thzee of them (whereof the Master or Surueioz to be
one

one) shall haue authoritie after offices and inquisitions found, to covenant and indent with euery person for his liuary of the lands, tenements, and hereditaments, comprised or not comprised in such offices, and so set, and rate the price for the same, and to appoint the daies of payment thereof, by Obligation or Obligations taken for the same to the Queene, which Obligations so made and euery of them, shall be good and effectual in Law & of like strength, as writings obligatory made by any lay person, by authority of the statute of the Staple, bin or ought to be. And all and singular bills for any special or generall liuary to be sued, assigned by the hands of the said Master, Surueior, Atturney, Receiuer, or thre of them, whercof the Master or Surueior to be one, shall be a good and sufficient warrant to the Chancelor of England, and of the Duchy of Lancaster, & all other Chancelors and Officers hauing power to passe Liuries vnder any of the Q. Seales, for the making out, sealing and deliury of any liuries, according to the purport and effect of such bills with other clauses of course necessarie or the same. 33. H. 8. 22.

Warrants to passe liuries.

5 No person hauing lands or tenements aboue the yerely value of v. li. shall haue or sue any Liuary before office found before the Escheator or other Commissioner &c. by vertue of the Queenes writ or commission &c. directed out of the Chancery or any other Courts &c. which writs or commission shall not passe out of the Chancery or any other Courts hauing authority to make such writs or commissions, but by a warrant or bill assigned and subscribed with the hands and names of the Master, Surueior, Atturney, and Receiuer of the Court of wards and liuries, or thre, two, or one of them, to be directed and deliuered to the Chancelor of England, or to any other Chancelor or Officer, hauing power to award such writs. 33. H. 8. 22.

No liury of lands to the yerely value of v. li. before office.

Warrants for writs to find offices.

6 But euery heire which is in case to sue liuary, where his lands & tenements exceed not the yerely value of v. li. shall lawfully sue forth his general liuary by warrant made from the court of Wards & liuries, although there be no other inquisition thereof had nor certified, & shall pay the fees of euery such liuary as be hereafter expressed for the fees of a general liuary not exceeding the yerely value of v. li. as though the same liuary were made sued forth vpon an office found by vertue of the Q. writ. 33. H. 8. 22.

General liury without inquisition.

7 Euery person may sue at his pleasure a generall liuary after office hereof by writ or commission found, returned and certified for any manors, lands, tenements, rents, reuerfions, remainders, or other hereditaments, whereof the clere yerely value doth not exceede xx. li. the value of which lands &c. shall be taken as is limited in the Offices found thereof except by the examination and certificat of the said Master, Surueior, Atturney, and Receiuer generall, or thre of them) it shall otherwise appear and be declared in any of the Queenes Courts. But no such liurie shall be sued or passe without a bill or warrant first obtained for the same from

A general liury of lands not exceeding xx. li.

Liuary and Ouster le maine.

from the said Master, Surueior, Atturney, or Receiuer, and signed and subscribed with the names and hands of them or thre of them, as is afore-
said. 33. H. 8. 22.

**The fees of a
general liuary.**

8 If the lands, tenements, or hereditaments, whereof a generall li-
uerie may be sued by this Act, exceed the cleere perye value of v. li. then
such as shall sue and haue such generall liuary, shall pay for the seale there-
of xx. s. iiii. d. and all other such fees as heretofore in such cases haue bin
accustomed vpon the suing of any generall liueries. And if the lands, te-
nements &c. whereof any such general liuary shall bee sued, exceed not the
clere value of v. li. then euery person suing for any general liuary shall
pay for the seale of euery such liuary xii. d. and to the Clerkes of the petit
bagge for the wryting and enrolling thereof xx. d. and for respite of ho-
mage in the Manaper viii. d. and to the Lord great Chamberlaine xx. d.
and to the Clerke of the Liueries for the warrant and enrolling of the li-
uary xx. d. and to the Master of the Rolles xx. d. and none other fees. 33.
H. 8. 22.

**Within what
time a Liuary
shall be sued
forth.**

9 Euery person to whom the Queene shall graunt any liuerie, to be
sued vpon his bill assigned thereof with the Queenes hand, or with the
hands of the Officers of her Court of Wards and Liueries, shall sue forth
his Patent within thre moneths next after the assignment of the said bill,
or els the same bill and the effect thereof shall be void. 33. H. 8. 22.

**Liueries shal
be enrolled.**

10 Euery Ward hauing his liuary, shall within sixe moneths next af-
ter the liuary had, bring the same to the Auditors of the Court of wardes
&c. or to one of them, to haue the same there inrolled for the discharge of
the lands against the Queene, according to the tenour of the said liuary,
and shall pay for the enrolment thereof such reasonable summe of money,
as shall be appointed by the Master of the wards &c. so that it exceed not
x. s. 32. H. 8. 16.

**Where the ow-
ners shall haue
his lands with
the issues.**

11 If the Escheto or Sherife do seise any lands into the Queenes
hands where there is no cause of seislure, and after the same lands be deli-
uered out of the Queenes handes for the same cause, the issues also shal be
fully restored to him who hath the land, and which hath sustained the losse.
Artic. super Chartas 28. Ed. I. 19.

**Amoneas manum
cum exitibus.**

12 If by Enquestes taken by Eschetors by any writs sued out of the
Chauncery and returned, it be found that nothing is holden of the Queene
whereby the ought to haue the Ward of such lands by reason of the En-
questes taken by her Eschetors, immediatly the Eschetors shalbe com-
maunded by the Queenes writ directed out of the Chauncery, to deliuer
their hands, and put from them all the lands and tenements so seised into
the Queenes possession. And if they haue taken any profits of such landes
&c. they shall make full restitution to him or them for whom it was found
by Enquests, that such landes ought to remaine from the time that such
landes fell into the Queenes handes. But if after the Eschetors haue
dis-

discharged their hands by force of the Queenes writ, any thing happen to be found in the Chancery, Eschequer, or any other of the Queens Courts, whereby the wardship of such landes whereof the Escheatozs haue discharged their handes, should belong vnto the Queene, immediatly he in whose handes such landes shall happen to be, shall be summoned to be before the Queene at a certaine day wheresoeuer &c. to shew if he can say any thing wherefore the Queene ought not to haue the wardship of such landes, according to the fourme of the euidences, or remembzances found for her. And if he come in and shewe why the Ward of such landes doth not, or ought not belong vnto the Queene, but that it ought to remaine to himselfe, he shall goe quite, and retaine the Wardshippe: But if the partie warned doe not come, or doth come and can say nothing, why the Queene should not haue the wardshippe, immediatly the landes shall be Releised into the Queenes handes by reason of wardship, to be kept Releiser. vntil the ful age of the heire of the same. And if it be founde by the Enquestes taken by the Eschetozs, and returned, that the custodie of the same landes, contained in the inquisitions and seised into the Queenes handes, ought not to remaine vnto the Queene, the Eschetoz shall be commaunded forthwith to discharge his handes thereof, and to restore the whole issues. And in like sort if it be found by Euidence and remembzances in the Chauncerie, Eschequer, or otherwise, that the Queene ought to haue the custody of them, her Maiestie shall be answered the whole issues thereof at their handes which held the same landes from the time they were first taken into the Queenes handes by the Eschetozs by the foresaid writs. 29. Ed. 1. Stat. de Eschaetoribus.

13 If an Eschetoz or other minister hath seised to the Queenes vse, Meane rates any Cities, Boroughs, Townes, Hamlets, hundredes, franchises, milles, herbage, tolle, plees, and perquisites of Courtes, or other landes, or tenements, whereof profit riseth from time to time through the yere, and after hath made livery thereof to the heire by the Queenes commaundement out of the Chauncery, before the terme of payment is come, yet he shall be charged to answer the Queene for the rate and portion of the same, according to the auncient course of the Eschequer. But auncient fines and rents which be to be paid at certaine termes, as rent seck, and rent service, whereof no profit riseth vntill the day of payment, shall be paid to them which haue livery out of the Queenes handes at the day of payment of the same farmes and rent which doe ensue such livery. 28. Ed. 4. S. Eschetors, Office, Trauerse, Wardes.

1 That euery person suing his Livery or Ouster le maine shall take the same for the Queens supreme gouernment ouer all estates. S. Queene 5.

Liveries and Retainers.

If any person shall giue any Chaperons, Pattes, or such like liveries Suing of liveries for maintenance. to any man, for maintenance of quarrels or other confederacies, he shall forsaite

Liveries and Retainers.

forfait C. s. for euery such livery. And he which receiueth such livery shall forfeit x l. s. 1. $\text{R. 2. 7. 7. H. 4. 14. 13. H. 4. 3. 8. H. 4. 6. 8. Ed. 4. 2.}$

Wearing of liveries for maintenance.

2 If any person of his owne authoritie and proper costes, doe buy or weare for his clothing any clothes or hats, called liveries of the sort or suit of any Lord, Lady, Knight, Esquire, or other person to haue suppotation, succour, or maintenance in any quarell, or in any other maner, and be thereof lawfully conuict, he shall forfeit x l. s. and be one yere imprisoned 8. $\text{H. 6. 4. 8. Ed. 4. 2.}$

Wearing the Queens livery

3 If any which is a Knight or Esquire meniall of the Queenes, or which is of her retinue, to whom her Maiesty shall giue her Honorable livery, do weare his said livery in the countrey or countie, where he is resident or dwelling, or in any other place of the Realme out of the Q. presence (sauiing in going or coming from the Queenes house) and is thereof ouely attained, he shall lose his livery, & forfeit his fees for euer. 1. H. 4. 7.

Companies.

4 No congregation or company shall make any Livery of cloth, or of Hats at their owne costs, vpon paine that euery one of the same congregation or company shall forfeit x l. s. (except guildes and fraternities, and all people of arts and sciences, within Cities and boroughs, which be ordeined to a good intent.) 7. H. 4. 14.

Giuing or taking of liveries or badges, and retaining.

5 No person by himselfe or any other for him, shall giue any livery or badge, or retaine any person other then his menial seruant, officer, or learned man in the one Lawe or in the other, by any writing, othe, or promise and if any doe the contrary, he shall forfeit for euery such livery or badge giuen C. s. And he which doth retaine or take of another such othe, writing or promise, or is retained by Indenture, shall forfeit C. s. for euery moneth that any person is so retained with him by othe, writing, Indenture, or promise. And euery person which is retained by writing, Indenture, oth, or promise, for euery moneth that he is so retained shall forfeit C. s. to the Q. and J. And euery person that will sue against any other for any offence committed contrary to this Statute, or any other of the premises before the Queenes Iustices in her Bench, before the Iustices of the Common ples, Iustices of peace in their Sessions, Iustices of Die and Terminer, and gaole deliuerie, Iustices of the Countie Palatine of Lancaster and Chester, and in the Court of Herehamshire, and in the Court of the Bishop of Durham in the Countie Palatine of Durham shall be admitted thereunto by the discretion of the said Iudges, to giue information for the Queene of any of the premises committed wythi the iurisdiction of the same Courts. And euery Informer shall be admitted to sue for the Queene and himselfe, action or actions vpon the same by information in any of the said Courtes, against as many such offenders in one Bill of Information as liketh him, which Information shall be instead of a bill or Original writ, wherein such proces shall be awarded as in an Original writ of trespass against the peace (but that in the Countie Palat

In what courts the Informer may prosecute his suit.

Palantine of Lancaster and Chester, nor in Duresme, no Exigent shall be awarded vpon any information, suit, or procelle, to be made by force of this ordinance, and if any be, or any Outlawrie thereupon pronounced, the same shall be void without any writ of Error.) And if any of the offenders be present in any of the said Courts, any of the Iustices may commaund him to be brought to aunswere to such bill, vpon such Information (by an oath first to be taken vpon a booke by such Informer, before some one of the Iudges, that his complaint is true) without any other or further proces therein. And euery of the same Iudges within his iurisdiction may by his discretion examine euery of the defendants vpon such information, and iudge him conuict, aswell by examination as by triall. And the Queene shall haue the one halfe of the forfeiture (if it be not in a Citie or Towne corporat, that hath the same by the Queenes etc. graunt) and the Informer the other halfe, which also shall recouer his costes by the Iudges discretion, and execution thereof, as in recoueries vpon debt or trespass, wherein no E. 1. c. 8. Ed. 4. 2.

6 But this Act extendeth not to any gift, graunt, or confirmation made of any fee, annuities, pencion, rent, lands, or tenements by the Q. or any others, to any other person or persons for their counsell giuen, or to be giuen, or for their lawfull seruice done, or to be done, (and for no other unlawfull cause or unlawfull intent) although the person to whom such gift, graunt, or confirmation is made, be not learned in the one law or the other. Neither doth it extend to any liuerie giuen at the Kings or Queens Coronation, or at the instauration of an Archbishop or Bishop, or erection, creation, or marriage of any Lord or Ladie of estate, or at any creation of any Knights of the Bath, or at the commencing of any Clerke in any Uniuersitie, or at the creation of Sergeants of the Law, or giuen by any fraternitie, guild, or mysterie corporat, or by the Maior, Shirife, or other chiefe Officer of any citie, borough, towne, or port of this realme of England, for the time being, during that time for the executing of their office or occupation. Nor to any Liueries or Badges giuen in the defence of the Queene, and of this Realme. Nor to the Constable or Marshall, for giuing any badge, liuerie, or token, for any feats of Armes to be done within this Realme. Nor to any Wardens of the Marches towards Scotland, for any liuerie, badge, or token by them giuen from Trent Northward, at such time onely as shal be necessarie to leuie people for the defence of the Marches. 1. H. 4. 7. 8. Ed. 4. 2.

At what time
and by whom
giuing of Liue-
ries is lawfull.

7 If any Steward, Auditour, Receiuor, or Bailife, of any of the Queenes honours, lordships, manours, lands, and tenements, Constable, or keeper of any of her Castels, Warden, Master of game, parke keeper, or any other officer of any of her said forrestes, chales, parkes, or warrens, shall be unlawfully retained with any person, or retaine any man dwelling within any of the said honours, lordships, manours, lands,

The Queenes
officers shall
not be retained
with others,
nor shal retain
her tenants.

The Queenes
Officers at her
commaunde-
ment.

and tenements contrarie to any act, or ordinance befoze this time made: Or suffer any man dwelling within the same honours, lordships, &c. to be vnlawfully retained with any other man or person, what degree, or condition soeuer he be of, and shew it not to the Queene within xl. dayes next after he haue knowledge thereof, and how, and with whom he is so retained: Or if any of the said Officers conuey any of the said tenants, inhabitants, or farmours to the Queene, to any field, assemble, or rout, otherwise then by the Queenes commaundement, to doe her such seruice as he shall be commaunded, and that alway in the Queenes liuerie and signe, with a cognisance of him which so conuey them by the Queenes commaundement. Or if such Officer come not to the Queene in the time of trouble, or warre, when he thereunto shall be commaunded, hauing no reasonable excuse to the contrarie. All graunts then made or had to him, of any of the said offices by the Queene, or by any of the Queenes progenitors or predecessors, shall be vtterly void and of none effect. 3. H. 7. 12.

The Queenes
tenant shal not
be retained
with any other.

8 If any farmour or tenant within any of the same honours, lordships, manours, lands, and tenements be retained with any person or persons contrarie to the Statutes, by liuerie, signe, token, or oath, indenture of promise, or to go to any field, gathering, or assemble, in any mans Liuerie, signe, or token, but onely in the Queenes Liuerie and signe, and to serue her onely, and where he shall be commaunded by the Queene. All graunts and leases to him made for terme of yeeres, or at will, of lands, tenements, rents, or other possessions, being parcell of any the said honours, lordships, manours, lands, and tenements, shall be then vtterly void, and of none effect. 3. H. 7. 12.

It appeareth by one Proclamation of the iij. day of Ianuarie, An. 14. Eliz. and by one other of the xix. of Aprill, An. 25. of her Raigne, made against Retainers, That her Graces pleasure is, that the foresaid Statute of 3. H. 7. amongst other Statutes provided against vnlawfull Retainers should be duely obserued and executed. But conferre this statute of 3. H. 7. with the statutes made 11. H. 7. 18. and 19. H. 7. 1. which were provided to auoide the like inconueniences that this was, & penned in such maner as this is. And then, whether this Stat. was provided to be perpetuall, or made onely to continue during the life of king H. 7. as generally men do think the other two statutes were, Quære. *Vide Dyer fol. 211.*

1 What issues shall be returned vpon any person in an Information sued vpon the Statute made against giuing of Liueries. See Returne of Shirifes 11.

Mainprise and Bayle.

Transporting
or Sheepe,

NO person shall be let to bayle or mainprise, which is committed to prison for bzinging, deliuering, sending, receiuing, or taking, or procuring to be brought, sent, &c. into any ship or bottom, any Sheepe being aliue.

aliue, to be conueied out of any of the Queenes dominions. 8. Eliz. 3. S. Sheepe 1.

2 Noz any maker or worker of Hats, which is committed to prison for taker. taking aboue two appzntices at one time, or for taking any of those for any lesse time then vii. peeres. 8. Eliz. 11. S. Hattes 6.

3 Noz any seruant, bailife, chamberlaine, or receiuor accomptable, which vpon his accompt befoze Auditozs is found in arrerages, and committed to the Gaole. 13. Ed. 1. 11. S. Accompt 2.

4 Noz any seruant committed to prison for departing from his Ma^{ster} Seruant. ster with whom he was retained, befoze the end of his terme, or for departing at the end of his terme without one quarters warning giuen befoze, or for refusing to serue for the wages rated, according to the statute, being thereunto requested, or for not seruing where he promised or covenanted to serue. 5. El. 4. S. Labourers 6.

5 Noz any Artificer, or Labourer, which is imprisoned for departing from any peece of worke which he hath takē in great, in taske, or in grosse, to finish, befoze he hath ended the same, without licence of the Master of the worke, or of him that hath charge thereof, except his wages be withhelden, or be appointed to serue the Queene. 5. El. 4. S. Labourers 10.

6 Noz he which is imprisoned for giuing or receiuing moze wages then is assessed in a proclamation made for that purpose, in the Countie, Citie, Borough, &c. where he dwelleth. 5. El. 4. S. Labourers 4.

7 Noz he which is committed to prison for false forging, or wittingly assenting, or causing to be forged, or made, any false deede, charter, or writing sealed, court roll, or the Will of any person in writing, to the intent that the estate of inheritance or freehold of any person, of, in, or to any lands &c. or his right to the same shal be troubled &c. or any obligation, bill obligatory, acquittance, release, or other discharge of any debt, accompt, action, suit, demaund, or other thing personall, or for that he did pronounce, publish, or giue in euidence any such false or forged charter &c. as true, knowing the same to be false & forged. 5. El. 14. S. Forger of deeds 1. 2.

8 Noz he which doth maliciously, or for veration procure any other person to be arrested or attached to answere in the R. Bench, Marshalsey, or in any Court within London (or other place where any Libertie is to hold plea in any action personal) at the suit, or in the name of any person, where there is no such person knowen, or without the assent of such person at whole suit, or in whose name &c. & is therof couict, or lawfully accused &c. and committed to prison for vi. monethes &c. 8. El. 2. S. Damages 1. 2. 3.

9 Noz he which is committed to prison for thzee daies, for keeping of an Alehouse, being not allowed, or being forbidden by two Iustices of peace. 5. Ed. 6. 25. S. Alehouses 2. Iustices of peace 71.

10 Noz he which is committed to prison, for that he being an Alien bozne, and not Denizen, conueiecth into any parts out of the D. obeyssance

Mainprise and Bayle.

any long Bowes, Arrowes, or Shaftes, without the Queenes licence, vntill he hath made fine to the Queene, by the discretion of the Iustices of peace in their Sessions. 33. H. 8. 9. S. Aliens 2. Archerie 6.

Apparell.

11 Noz he which is committed to prison for wearing any Silke, contrarie to the statute in that case prouided, vntill he hath paid the for. whereof he is conuicted. 1. & 2. H. & H. 2. S. Apparell 17.

Attaint.

12 Noz any petit Iurie in London, which is attainted by the verdict of a graund Iurie, and therefore committed to prison: Or which hath receiued any money, reward, or promise thereof, of the defendant in the Attaint, for the intent of giuing his verdict whereupon the Attaint is grounded: Noz the defendant in the said Attaint which doth giue or promise the said money, or reward, and is therefore committed to prison, 11. H. 7. 21. S. Attaint 16. 17.

**Collectors,
Surueyors
of bridges.**

13 Noz any Collector or Surueior of any decayed Bridge, which is committed to prison, for refusing to accompt to the Iustices of Peace, of the receipts and payments of money by him receiued toward the repaire of the said Bridge, vntill he hath truely accompted. 22. H. 8. 5. See Bridges 4.

**Father or Mother
of a Bastard.**

14 Noz the mother or reputed father of any Bastard begotten and bozne out of lawfull matrimonie, committed to prison for not performing an order made by two Iustices of Peace for the keeping of such bastard child, (except he or she shall put in sufficient suertie for performance of the said order, or personally appeare at the next generall Sessions in the shire where such order shall be taken, and to abide such order as the said Iustices shall take.) 18. Eliz. 7. S. Bastardie 1.

Souldier.

15 Noz any Souldier committed to prison for making away any Horse or Harneis wherewith he shall be set forth, vntill he hath satisfied the owner thereof. 2. Ed. 6. 2. S. Captaines 1.

Prophecies.

16 Noz any person which is committed to prison for any offence by him committed, contrarie to the statute prouided against fond and phantasticall Prophecies. 5. El. 15. S. Prophecies 1.

Musters.

17 Noz he which is committed to prison for being conuicted of any offence by him committed contrarie to the stat. made for the taking of Musters, vntill he hath paid the for. in the said stat. specified. 4. & 5. H. & H. 3. S. Captaines 12. Iustice of peace 26.

Witchcraft.

18 Noz he which is committed to prison for a whole yeere, for vsing any Witchcraft, Enchantment, Charme, or Sorcerie, or for being counselling, or ayding thereunto, contrarie to the statute in that case prouided. 5. El. 16. S. Coniuration 3. 4.

**Transporting
of coine, vit-
tals.**

19 Noz any Master, or Mariner of any Ship, Trayer, or Vessel, which is committed to prison, for transporting beyond the Sea, or into Scotland, any Coine, Mault, Beere, Butter, Cheese, Herring, or Wood, without lawfull authoritie, or for conueying by boate &c. any of the fore-
said

said things to any Ship on the Sea, or within any Haven to be transported &c. Nor any man which hauing licence to transport the foresaid things, doth transport more then is contained in his Licence. 1. & 2. P. and M. 5. S. Corne 1. 2. 3.

20 Nor the Master or Mariner of any ship committed to prison for ^{Transporting} lading, shipping, or carping in any ship, or otherwise, any Leather, ^{of leather, tal-} Tal- ^{low, and raw} low, or raw Hides, of intent to transport the same beyond the Seas, or into Scotland, if the said Master, or Mariner do know of the said offence. 18. Eliz. 8. S. Leather 3 3.

21 Nor he which is committed to prison by two Iustices of peace, for Tythes. refusing to pay his Tythes, or dueties, or any summe of money wherein he is condemned for the same after the definitiue iudgement gyuen against him by the Ordinarie, vntill he be bound with sufficient suerties to the Queenes vse, to performe the said sentence. 27. H. 8. 20. 3 2. H. 8. 7. S. Tythes 22.

22 Nor he which shall peele his bodie to the Shirife, or other Officer ^{Excommunicate.} vpon any writ of Capias awarded according to the statute prouided for the due execution of the writ de Excommunicato capiendo. 5. Eliz. 23. S. Excommunication 4.

23 Nor he which is committed to prison for committing any offence ^{Unlawfull tak-} prohibited by the statute prouided 5. Eliz. for the punishment of unlaw- ^{king of Fish,} full taking of Fish, Deare, or Haukes, vntill he hath found sufficient sur- ^{Deare,} tie for his good abearing for the space of vii. yeeres after the offence com- ^{Haukes.} mitted. 5. Eliz. 21. S. Fish 7. Forrestes 3. Haukes 1.

24 Nor he which is committed to prison for eating Flesh, or for put- ^{Eating of} ting of Flesh to sale, vpon any day vsually obserued a fish day. 5. Eliz. 5. ^{Flesh,} 35. Eliz. 7. S. Fish daies 1. 2.

25 Nor he which is in execution vpon a Statute Marchant, or vpon a Statute Staple, or vpon a Recognisance of the nature and force of a Statute Staple. 13. Ed. 1. 27. Ed. 3. 9. 23. H. 8. 6. S. Statutes &c. 1. 4. 9.

26 Nor any person committed to prison for sixe Monethes, or threew. Monethes, for speaking, or reporting any false, sedicious, and slanderous Newes, rumors, sayings, or tales, against our Soueraigne Ladie the Queenes Maiestie that now is. 23. Eliz. 2. S. Newes 3. 4.

27 Nor the Shirife of any countie committed to prison for one whole ^{Knights for} yeere, for doing any thing contrarie to any statute made, in, or before 23. ^{the Parlia-} H. 6. concerning the election & returning of Knights, Citizens, & Bur- ^{ment,} gesses, to come to the Parliament. 23. H. 6. 15. S. Parliament 4. 5.

28 Nor he which is committed to prison for sixe Monethes, for com- ^{Periurie.} mitting wilfull Periurie: Nor he which doth procure any witnesse to commit wilfull Periurie, and therefore doth forfait xl. li. and hath not ^{Periurie.} ands, goods, or cattels, to the value of the said xl. li. and is therefore com- mitted to sixe Monethes imprisonment. 5. El. 9. 29. El. 5. S. Periurie 1. 2.

Mainprise and Bayle.

Phisitions in
London.

29 Noꝛ he which is committed to prison by the President of the Colledge of the facultie of Phisicke in London, oꝛ by such as the said President and Colledge shall authorize to search and punish offendours foꝛ any offence oꝛ disobedience by him committed, contrarie to the statute in that case pꝛovided, vntill he be discharged of his imprisonment by the said President and the persons authorized. 1. M. 9. S. Phisitions 4.

Plaies and
games.

30 Noꝛ he which is committed to prison by any Justice of peace, Maior, Bailife, Shirife, oꝛ other head Officer &c. foꝛ keeping any house, alley, oꝛ place of vnlawfull games, oꝛ foꝛ haunting, resorting, and playing there, vntill he be bound to the Queenes vse in such summe, as to the foresaid Officers shal be thought reasonable, no longer to keepe oꝛ vse the said games. 33. H. 8. 9. S. Plaies 5.

Collectoꝛ foꝛ
the poore.

31 Noꝛ any Collectoꝛ foꝛ the reliefe of the Poore, which shall refuse to make his accompt, oꝛ shall neglect the same by the space of foureteene daies after request to him theretofore made, shall be theretofore committed to prison, and shall there remaine vntill he hath accompted and payed all surpluses which he hath receiued. 14. Eliz. 5. S. Poore people 6.

Censoꝛs and
Collectoꝛs of
houses of coꝛ-
rection.

32 Noꝛ any Collectoꝛ, oꝛ Gouernoꝛ of the poore, oꝛ Censoꝛ, Wardē, oꝛ Collectoꝛ foꝛ any of the houses of coꝛrection, committed to prison, foꝛ refusing to make accompt of such money as he hath receyued to the uses aforesaid, oꝛ foꝛ neglecting the same accompt within foureteene daies after request to him made, oꝛ foꝛ not paying within one weeke after his accompt the whole arrerages which he shall be found in &c. vntill he hath made his accompt, and paid the same arrerages. 18. Eliz. 3. S. Poore people 26.

Disturbers of
Preachers.

33 Noꝛ he which is committed to prison foꝛ disturbing oꝛ misusing any Preacher in the time of his Sermon, being lawfully authorized to Preach, oꝛ foꝛ rescuing, oꝛ disturbing the arrest of such offendour. 1. M. 3. S. Preachers 1. 2.

Chatour.

34 Noꝛ the Chatoꝛ, oꝛ other officer of any Noble man, oꝛ other, committed to prison foꝛ taking of any vitailles, coꝛne, oꝛ other thing, of any of the Queenes liege people against their willes, vntill they haue rebeliured the same, oꝛ the very value thereof. 23. H. 6. 14. S. Purueiours 1.

Burueying
within five
miles of Cam-
bridge oꝛ Ox-
ford.

35 Noꝛ any Burueyoꝛ, Taker, Badger, oꝛ other minister of the Queenes, noꝛ any other common Poultier, committed to thꝛee monethes imprisonment foꝛ taking oꝛ bargaining foꝛ any vittaile, oꝛ graine, in either of the markets oꝛ townes of Cambridge oꝛ Oxford, oꝛ within five miles thereof, without the licence of either of the Chauncelloꝛs, oꝛ Vice chauncelloꝛs of the said Uniuersities where &c. in wꝛiting obtained vnder the seale of the office. 2. & 3. H. 8. 15. 13. El. 21. S. Purueiours 32.

Redisseisin.

36 Noꝛ he that is committed to prison foꝛ any Redisseisin by him done, shall be bayled oꝛ repleued by a common writ &c. 21. 2. 13. Ed. 1. 26. S. Re-

26. S. Redisseisin 3.

37 Noz any person committed to fixe monethes, xii. monethes, or per- Sacraments
and seruice.
petuall imprisonment, for committing any of the offences prohibited by
statute prouided 1. Eliz. for the vniformitie of common Prayer and Ser-
uice in the Church and the administration of the Sacraments. 1. El. 2.
S. Sacraments 2.

38 Noz he which is committed to prison for falsifying or counterfai- Counter-
faising of
weights.
ting of any false Weights, vntill he hath made fine according to the dis-
cretion of the Iustices of peace. 2. H. 5. 8. S. Weights 13.

39 Noz any person aboue the age of xiiii. yeeres, committed to two Taking away
of maidens.
yeeres imprisonment, for conueying, or causing to be conueyed any maid
or woman child vnnaried within the age of xvi. yeeres, out of the posses-
sion, and against the will of the father or mother, or such person as shall
haue the gouernance of such maid, &c. other then such of whom she shall
hold any lands by knights seruice. 4. & 5. H. 8. S. Women 6. 7.

40 Noz any person aboue the age of fourteene yeeres committed to Deflowring or
contracting
matrimonie
with a maid.
five yeeres imprisonment, for taking away and deflowring, or for contra-
cting matrimonie with any maid or woman child vnnaried vnder the age
of xvi. yeeres against the will, or unknowing of the father, mother, or
such as shall haue the gouernance of her, except the contract be made by
the consent of her Gardian. 4. & 5. H. and H. 8. S. Women 8.

41 Noz any person which hath remoued his indictment of felonie into Marshall of the
kings Bench.
the Kings Bench, or is there appealed of felonie, shall be let to bayle by
the Marshall of the Kings bench. 5. Ed. 3. 8.

42 Noz he which is condemned in any of the Queenes Courts, and by Condemna-
tion.
vertue thereof is committed to prison, there to remaine vntill he hath
agreed with the plaintife at whose suit he was condemned. 1. R. 2. 12.
2. H. 5. 2. S. Escape 3.

43 Noz any Gaugeour, Packer, or searcher of fish, which is com- Gaugeour,
Packer,
Searcher.
mitted to prison for that he taketh moze for gauging, packing, or search-
ing then he ought to doe. 11. H. 7. 23. S. Fish 12.

44 Noz he which is committed to prison for being partie to any fained Fraudulent
deedes.
or fraudulent feoffement, gift, bond, suit, &c. or knowing thereof, shall
willingly put in vze or defend the same as true and simple, or shall assigne
the lands, leases, or goods to him conueied, 13. El. 5. 27. El. 4. S. Fraudu-
lent deedes 4. 5.

45 Noz any Forrestaller, Regrator, or Engrosser, being conuict or at- Forrestaller,
Regrator,
Engrosser.
tainted by the law, which for his first offence shall be imprisoned two mo-
nethes, for his second halfe a yeere, and for the third during the D. plea-
sure. 5. Ed. 6. 14. 13. El. 25. S. Forrestallers 4.

46 Noz he which is committed to prison for one yeere at the least, Riots.
for any great and haynous Riot by him and others done. 2. H. 5. 8.
S. Riots 11.

Mainprise and Bayle.

**Unlawfull
assemblies.**

47 Noz any persons being aboue the number of two, & vnder twelue, committed to prison for one yeere, for that they assembled together, & did intend, practize, &c. with force of armes &c. to murder any the Queenes subiects, or to break downe &c. the pales, hedge, ditches, wall, & other closure of any parke or other ground inclosed, or the bank of any fish pond or poole, to the intent the same should remaine open, or to doe any other unlawfull act, prohibited by the stat. made An. 1. Ha. &c. and being required by a Iustice of peace, or Shirife of the same countie, or by the Maioz &c. or chiefe Officer of the citie, or towne corporat, to returne to their habitations, do not, but attempt to put in vze any of the said things. 1. Ha. 12. 1. Eliz. 16. S. Riots 20.

**Moued to
make com-
motion.**

48 Noz any person committed to prison for thzee monethes, for that he being spoken vnto, or moued to make any commotion, insurrection, or unlawfull assemblie for any intent prohibited (by the stat. made 1. Ha. against unlawfull Assemblies) did not within xiiii. howers after he was spoken vnto, or moued, (vnlesse he haue a good excuse) declare the same to one Iust. of peace, or Shirife of the Countie, or to the Maioz, Shirife, Bailifes, or other head Officers of any citie or town corporat, where such motion was, vnlesse he shal be discharged by thzee Iustices of peace of the same Shire &c. 1. Ha. 12. 1. Eliz. 16. S. Riots 24.

**Procurers of
commotion.**

49 Noz any person committed to prison, for that he moued, stirred, or procured any other person to commit or doe any offence prohibited by the foresaid statute. 1. Ha. 12. 1. Eliz. 16. S. Riots 30.

**Refusing to
represe Re-
bellions.**

50 Noz any person committed to prison, for that he being aboue the age of xviii. yeeres, & vnder lx. able to serue, not sicke, lame, or impotent, and being required by a Iust. of peace, Shirife, &c. Maioz, Bailife, &c. of the county, citie, borough, or towne, where any riotous assemblie, contrary to the said stat. &c. shall be, or by any other by their commaundement, to go with him or them to suppress the persons unlawfully assembled, doth willingly & obstinately refuse so to do. 1. Ha. 12. 1. El. 16. S. Riots 25.

**Attendance
vpon the M.
Lieutenant.**

51 Noz any other person committed to prison, for that he (hauing no reasonable excuse) doth not giue his attendance vpon the M. Lieutenant for suppression of any commotion, rebellion &c. after declaration of his letters Patents, & request to him made. 1. Ha. 12. 1. El. 16. S. Riots 26.

Liveries.

52 Noz he which is imprisoned for buying, or wearing any clothes or hats, called Liveries, of the sort or suite of any Lord, Knight, Esquire, or other person to haue maintenance in any quarrell, or in any other manner. 8. H. 6. 4. S. Liveries 2.

Scholemaster.

53 Noz any Schoolemaster committed to prison for one yeere, for presuming to teach contrarie to the statute in that case prouided. 23. El. 1. S. Recusants 2.

**Marking of
waxe and hony.**

54 Noz he which is committed to thzee monethes imprisonment for not sufficiencie of payment of v. li. for f. for counterfaiting or setting of

an

an other mans marks vpon any peece of ware oz vessell of honie. 22. Eliz. 8. S. Hony. 2. Wax. 6.

55 *Not* he which is committed to prison for one moneth for not paying within x. daies after his conuiction, such penalties as he shall forf. for killing of Feasants oz Partridges with nets oz other engins in the night time. 23. Eliz. 10. S. Feasants. &c. 2. Taking of Feasants, partridges.

56 *Not* he which is committed to prison vntill he hath satisfied the value of that which he hath forf. for infringing the act made An. 23. Eliz. for the abolishing of deceitfull stuffe vsed in dying of clothes. 23. Eliz. 9. S. Dying. 1. 2. Dying of cloth.

57 *Not* a prisoner which befoze was outlawed, *Not* he which hath abiured, *Not* any approuer, *Not* he which is taken wiche maner, *Not* he which hath broken the Q. prison, *Not* a theefe openly defamed, and knowē, *Not* he which is appealed by an approuer so long as the approuer doth liue, except he be of good name, *Not* he which is taken for burning of a house feloniously done, oz for false money, oz for counterfaiting y^e Q. seale, *Not* any excommunicat person, taken at the Bishops request, *Not* he which is taken for a manifest offence, oz for treason touching the Q. M. I. 3. Ed. I. 15. And by the same stat. it doth appeare, that hee which was taken for the death of a man, by the K. commaundement, oz his Iustices, oz for the forrest, was not repleuisable by the common law.

58 But such as be indicted of larcenie by enquests taken befoze Sherifes oz Bailifes by their office, oz of light suspicion, oz for petit Larcenie that amounteth not aboue the value of xii. s. if they were not guilty of some Larcenie befoze, oz guiltie of receipt of theeues oz felons, oz of commaundement oz force, oz of aide in felonie done, oz guiltie of some other trespasse, for which one ought not to lose life oz member, And a man appealed of an approuer after the death of the approuer, if he be no common theefe, nor defamed, shall be let out by sufficient suertie, whereof the sherife will be answerable, and that without giuing any part of their goods. M. I. 3. Ed. I. 15. Where mainprise is allowable.

59 If the Sherife oz any other let one go at large by suertie which is not repleuisable, if hee bee Sherife, Constable, oz any other bailife of fee, which hath the keeping of prisoners, and is therof attainted, he shall lose his fee and office for euer, and if the vndersherife, Constable, oz baylife of such as haue fee for keeping of prisoners, do it contrarie to the will of his master, oz any other Baylife being not of fee, they shall haue threepennes imprisonment, and make fine at the Queenes pleasure. M. I. 3. Ed. I. 15. Baillement by the Sherife of one not baileable.

60 If any Iustices of peace do let to baile oz mainprise any person, which for any offence by him committed is declared not to be repleuisable oz baileable, oz forbidden to be repleuised by y^e foresaid stat. of 3. Ed. I. the said Iustices so offending shall pay such fines, as the Iustices of Gaole Baillement by Iustices of one not baileable.

Maintenance, Champertie, &c.

Gaole deliuerie of the shetire, citie, or towne where the offence shall be committed (vpon due prooffe therof by examination before them) shall assesse: But the Iustices of peace and Coronors within London and Middlesex, and in all other Cities, Boroughs, and Townes corporate within this Realme and Wales, haue authoritie to let to baile felons and prisoners, as they haue bene heretofore accustomed. 1. and 2. P. and M. 13. And in like sort shall Sherifes or any other be punished by the Iustices of gaole deliuerie, according to the forme of the said stat. of 3. Ed. 1. which do let to baile or mainprise any persons forbidden to be repleuised by the said statute, Statutum de Finibus &c. 27. Ed. 3.

Withholding
of prisoners,
repleuisable,
or taking of
reward to de-
liuer them.

61 Whosoever doth withhold prisoners repleuisable after they haue offered sufficient suertie, shall pay a greuous amercement to the Queene, and he that doth take any reward for the deliuerance of such, shall pay double to the prisoner, and also a greuous amercement to the Queene. 3. 1. 3. Ed. 1. 15.

1 For the bailement of prisoners by Iustices of peace, taking and certifying their examinations, and binding others to giue euidence against them. S. Iustices of peace. 107.

2 Who may be let to baile or mainprise by any Sherife, and who not S. Sherifes. 8.

3 Where he shall be let to mainprise which is endicted of murder at the Queenes suit and acquitted. S. Murder. 3.

4 That euerie Sherife in Wales, may put suspect persons vnder common mainprise, and what fee he shall take for the same. S. Wales. 46. 47.

Maintenance, Champertie, Embracerie, and buying of titles.

Maintenance
by the D. of
Officers.

If any of the Queenes Councillers, Officers or seruants, or any other person whatsoever, do take or sustaine any quarrell, by maintenance, in the countrey or else where, they shall be grievously punished in forme ensuing, that is, The said Councellores and Queenes great officers shall incurre such paine, as shall be assessed by the Queenes Maiestie, by the aduise of the Lords of the Realme, And other lesse officers and seruants of the D. in the Eschequer and other Courtes, and of her ordinary household, shall lose their offices and seruices, be imprisoned, and also pay a fine at the D. pleasure after euery of their degrees, estates, and deserts, And all other persons shall be imprisoned and pay fines at the D. pleasure. 1. Ed. 3. 14. 1. R. 2. 4.

Clerkes ta-
king present-
ment or part
in quarrels.

2 If any clerke of the D. or of any Iustice, doe receiue the presentment of any Church, for the which any plee or debate is in the D. court, without the D. speciall licence, hee shall lose the Church and his seruice. And if any Iustice or Sherifes Clerke, take part in any quarrell, or matter depending in the Queenes court, or do worke any fraude wherby common right may be delayed or disturbed, he shall loose his seruice, and be further

further punished if the trespassse do require. *W. 1. 3. Ed. 1. 28.*

3 If any Riot, Rout, or unlawfull assembly be committed, and the Justices of peace or ii. of them do thereof make enquire, according to the Statute, for that cause provided, *13. H. 4. and the said riot &c. is not found by the Jurie, by reason of any embracery or maintenance of the said Jurors, then every person duly proved to be a maintainer or embracer of the same, shall forfeit to the D. xx. li. and be committed to ward there to remaine by discretion of the Justices. 19. H. 7. 13. S. Riots. 15.*

Maintenance
in enquire of
Riots.

4 No person or persons whatsoever shall unlawfully maintaine, or cause, or procure any unlawful maintenance in any action, suit, demand, or complaint in any of the D. Courtes of the Chauncerie, Starre chamber, white Hall, or els where within any of the Queenes dominions of England, or Wales or the Marches of the same, where any person or persons have authoritie by vertue of the D. commission, patent, or writ, to hold plee of lands, or examine, heare or determine, any title of lands, or any matter of witnesse concerning the title, right, or interest of any lands, tenements, or hereditaments, or shall unlawfully retaine for maintenance of any suit or plee, any person or persons, or embrace any freeholders or iurors, or suborne any witnes by letters, rewards, promise, or by any other sinister labour or means, for to maintaine any matter or cause, or to the disturbance or hindrance of Justice, or to the procurement or occasion of any maner of perjury, by false verdict or otherwise, in any of the courts aforesaid, upon paine of forfeiture for every such offence x. l. to the D. and T. to be rec. by A. J. &c. wherein no W. &c. E. P. &c. if the suit be commenced in any of the D. Courts, within one yeere next after any such offence committed, or else not. *32. H. 8. 9.*

Embrace hi-
rors, Suborne
witnesses,

5 No officer of the Queenes, nor other person whatsoever, shall take upon him to maintaine any matter depending in suit, to have part of the thing in plee, or other profit, *West. 1. 3. Ed. 1. 25.* Neither shall any person upon such consideration, covenant, or depart with his right to another, and if any do, and thereof be attainted, the taker shall forfeit to the Queene so much of his landes and goods as the value of the thing in such suit taken for maintenance doth amount unto. And whosoever will, shall be received to sue for the Queene before the same Justices, before whom the suite was depending, and by them the iudgement shall be given, but a man may take the counsel of those that be pleaders of the law, and learned men for his fee, and of his friends, *W. 2. 13. E. 1. 49. 28. Ed. 1. 11.* And if any person doe take upon him for maintenance, Champertie, or the like bargaine, any maner of suite or plee against another, and is attainted of such assumption, suit or bargaine, or of consent thereto, he shall be iii. yeere imprisoned and further punished at the D. pleasure. *33. Ed. 1.*

6 Champertours be they that moue plees and suites, or cause to be proved, either by their own or others procurement, and sue them at their
owne

Champert-
ours,

Maintenance and Champertie. &c.

Embraceour.

owne costes, to haue part of the lands or gaires in variance. 3 3. Ed. 1. An embraceour is he which commeth to the barre with the partie and spea-
keth in the matter, and is there to suruey the Iurie.

**Buying of
titles.**

7 No person nor persons shall bargain, buy or sell, or by anie meanes obtaine, get, or haue anie pretended rights or titles, or take, promise, grant or couenant to haue anie right or title, of anie person or persons, in or to anie manors, lands, tenements, or other hereditaments, but if such person or persons which shall so bargain, giue, grant, couenant, or promise the same, their auncestors, or they by whom he or they claime the same, haue bene in possession of the same, or of the reuerſion or remainder thereof, or taken the rents, or profits thereof, by the space of one whole yeere next before the said bargain, couenāt, grant, or promise made, vpon paine that he that shal make any such bargain, sale, promise, couenāt or grant, shall forf. the whole value of the lands, tenements or hereditaments so bargained, sold, promised, couenanted, or granted, contrary to the forme of this Act. And the buyer or taker thereof knowing the same, shall also forf. the whole value of the said lands &c. so by him bought or taken as is abouesaid, to the D. & J. to be recouered by A. J. &c. wherein no W. C. P. J. &c. if the suit be commenced in anie of the Queenes courts within one yeere after the offence committed, or else not. 3 2. H. 8. 9.

**Purchasing of
pretenced title.**

8 But it is lawfull to anie person being in lawfull poss. by taking or the yeerely farme, rents, or profits of any manors, lands, tenements, or hereditaments, to buy, obtaine, get, or haue by any reasonable meanes the pretended right or title of anie other person or persons to be made to, of, or in such lands &c. whereof he shall so be in lawfull poss. 3 2. H. 8. 9.

**Proclamation
of the stat. of
maintenāce &c.**

9 The Iustices of Assise of euerie circuit within this Realme and elsewhere within the Queenes dominions, shall in euerie Countie within their circuites, two times in the yeere, viz. in the time of their sittings for taking of Assises, or deliuey of the Gaoles, cause open Proclamation to be made, aswel of this present Act, & euerie thing therein contained: as also of all other statutes heretofore made against vnlawfull Maintenance, Champartie, Embracery, or vnlawfull Retainers, To the intent that no person hearing the same should be ignorant or miscognisant of the damages, and penalties therein contained. 3 2. H. 8. 9.

1 For the punishment of Embraceours. S. Iurors. 5. 6.

2 For giuing or receiuing of liueries for maintenance. S. Liueries. 1. :

3 Who may vse any actions, or pursue vpon the Statutes prouided: against Maintenance, Champertie, Embracery &c. S. Actions popular

4 The punishment of forcible entries by way of maintenance. S. Force. 6.

Merchants, Merchandizes.

**Merchant
stranger may
buy and sell**

All Merchants, Strangers and Denizens, and all other that will buy or sell Cozne, Wines, Auer de poies, Flesh, Fish, and all other
liuing

liuings and bittaille, woolls, clothes, and all other things vendible, from whence soeuer they come, at what place soeuer it bee, Citie, Bozough, Towne, Port of the sea, faire, market, or elsewhere within the Realme, within franchise or without, may freely sell them to what person it shall please them, as well forrens as denizens, in grosse, at retaile, or by parcels, at their willes, to all people that will buy the same (except to the enemies of the Q. and her Realme) And if any disturbance be done to any merchant stranger or denizen, or to any other for the sale of such things in any Citie, Bozough, Towne, port of the sea, or other place which hath franchise, and the Maiors, and Bailifes, or other which haue the rule of such franchise, being required by the said merchants, or other thereof to prouide remedie, and do not, and thereof be attainted, the franchise shall be reised into the Queenes hands, and neuerthelesse, they which haue done this disturbance, shall restore to the said merchant his double damages which he hath therby sustained. And if such disturbance or interruption be done in such places or towne where no franchise is, & the lord (if he be present) or his bailife, constable or other ruler of the said towne and places, in the absence of the said lord being therein required to do right, & do not, and thereof be attainted, they shall yeeld to the pl. his double damages as foresaid, and the disturbers in the one case and in the other aswell within the franchises as without, if they be attainted, shall haue one yeeres imprisonment, and be ransomed at the Queenes pleasure. No alien or denizen upon the foresaid paine shall be troubled, but he may freely buy such things as foresaid in the said places, & carry them where it pleaseeth him to his owne vse, or to the profit of the Q. or the realme, sauing that such merchants Aliens shall carry no wine out of the same realme. But no merchant stranger shall alien, sell at retaile, nor buy, nor make merchandize within the realme with an other strange merchant alien, to sell againe, or no merchant alien shall sel to retaile within the same realme, nor shall he put to sale any maner of wares or merchandizes except liuings & vitailles. And also all aliens shall sell wines by whole vessels, & Spicerie by whole vessels and bales, & in no other maner. And no maner of spicerie after it is brought into the realme, shall be caried out of the same by alien or denizen, upon paine of forfaiture of the same. 9. Ed. 3. 1. 25. Ed. 3. 2. 11. R. 2. 7. 2. R. 2. 1. 2. R. 2. 1. S. Aliens. 1. Vittailles 1. 2.

within this
realme without
interruption.

One stranger
shall not mer-
chandise with
an other.

Wines.

Spices.

No scauage
shall be paid for
Merchandize
customed.

2 If any Maior, sherife, bailife, or other officer in any citie, bozough or towne within this realme, doe distraine, take or leuie any custome called Scauage or shewage of any merchant denizen, or of any other the Queenes subiects denizens, for any merchandize to the Q. before truly customed, that is brought by land or by water to be vttered in any citie, bozough, or towne in this land, or for non payment of the said Scauage to any merchants, or any other persons denizens to sel and to vtter their merchandize by them brought into any citie, bozough, or towne, then he

which

Marchants and Marchandises.

which offendeth shall forfe. for euery offence xx. l. to the Queene and the partie greued, or anie other that will first sue by action of debt in anie Shire wherein no W. &c. E. &c. But the Maior, Sherifes, & comminaltie of London, and euerie of them shal haue all such summes of money for scauage of euerie person denizens as by right they ought. 19. H. 7. 8.

Merchandise
not lawfull to
be brought in
to this realme.

3 No person shall bring, or cause to be brought into this Realme of England, from the parts of beyond the seas, anie girdles, harness for girdles, rapiers, daggers, knives, hiltes, pumels, lockets, chapes, dagger blades, handles, scabers, and sheathes for knives, saddels, horse harness sturrups, bittes, gloues, points, or leather laces, being readie made or wrought in anie parts of beyond the Seas to be sold, bartred, or exchanged, within this Realme of England or Wales, vpon paine to forfeit all such wares so brought contrarie to the true meaning of this act, in whose hands soeuer they or anie of them shalbe found, or the verie value thereof to the Queene and J. or him that will seise the same or sue therefore in any of the Q. courts of record by A. B. J. or otherwise wherein no W. &c. E. &c. (Prouided alwaies, that it shall and may be lawfull, to all and euerie the Queenes subiects, to bring into this Realme, all and all maner of pinnes, made beyond the Seas, anie act or statute &c. notwithstanding 27. Eliz. 1. 1) 3. Ed. 4. 4. 1. R. 3. 12. 5. Eliz. 7. 39. Eliz. 18. to continue to the end of the next Parliament now next ensuing.

Pinnes.

Shipping of
fells, skinnes,
Leather.

4 If anie person do ship or conuey, or cause to be shipped &c. in or in anie Ship, Boate, or vessel, in or vpon the Sea, or in or vpon anie hauer Creeke, riuer or place within England or Wales, anie maner of sheepe skins, woolfels, sherelings, moxlings, or the skinnes of anie stagge, hint bucke, doe, goat, fawne, or kidde, or the peltes of anie of them, or the lethe made of any of them (tawed leather made of sheepe skins only except 8. Eliz. 14.) to the intent to transport the same beyond the sea, there to be vttered by way of Merchandize or otherwise, he shall forfeit all such skinnes, or peltes, bought, laden, shipped, or transported, or the value of them, and also ii. s. vi. d. for euerie fell, pelt, skinne &c. bought, laden, shipped, or transported, to the Q. and J. to be rec. by A. J. &c. wherein no E. Protection Intinjection &c. But the Merchants of the Staple, the Merchants of New Castle vpon Tyne, Hartilpole, and Barwike, their seruants, factors, and attorneys, may transport all such lawfull wares as heretofore they lawfully might haue done. 5. Eliz. 22.

At what time
a place mer-
chandise shall
be discharged.

5 It shall not be lawfull to or for anie person or persons whatsoever to lade or put, or cause to be laden or put off or from any place on the land into anie ship or vessel to be transported into anie foraine region, or land on land, or take out of anie ship (being not in leake or wracke) any goods brought from anie parts out of the Queenes dominions, by way of Merchandise (fish taken by the Queenes subiects and salt except) but only in the day light, viz. from the first of March until the last of September betwix

betwixt the Sunne rising & the Sunne setting. And from the last of September vntill the first of March, betweene the houres of vii. in the morning, & iiii. in the after noone, & in and vpon some such open place, key or wharfe, as y^e D. Maiestie hath, or shall appoint, or where a customier, cōp-roller & searcher (Hull only except) by the space of x. yeeres, before y^e making of this act (being 23. Jan. An. Do. 1559.) haue bin resident, vpon paine of forfeit. of all such goods or Marchandise so laden, or discharged, contrary to the true meaning of this act, or the value thereof. 1. Eliz. 11. 4. H. 4. 20.

6 If anie Master, or other person taking charge of a ship, Craier or lessell, doe receiue into his Shippe, or lay on lande out of his Ship anie goods or Merchandise (except before excepted) to be transported ouer or brought in from anie place out of the D. dominions in anie other place at anie other houres then is before limited, he shall forfeit for euerie fence a hundred pound to the D. & J. to be rec. &c. wherein no W. &c. E. 1. J. &c. 1. Eliz. 11.

At what time and place the master of a ship shall receiue or discharge his lading.

7 No Master, shipper, or other, taking charge of the volage, shall receiue into his ship any goods (except before excepted) to be transported out of the Queenes dominions, before he shall signifie to the customier and officers of the port where he ladeth, that he intendeth to lade, and into what place he intendeth to passe. Nor shall after his lading depart out of the Port where he shall lade, before he do signifie vnto the said Officers of the lading, and what persons shall haue lading with him in his ship. And neither do truely answere to such questions as shall be ministred vnto him by the Customier, or other officer concerning the marchandise laden, being examined vpon his othe, or other wise, vpon paine to forfeit for euerie default not truely aduertising, nor answering, C. P. to the D. and J. &c. wherein no W. &c. E. P. &c. 1. Eliz. 11.

Shipper shall giue notice to the Customier of his departing.

8 If anie person taking charge of a ship wherein anie Merchandise (except before excepted) shall be brought from anie parts out of the D. dominions, shall discharge into anie lighter, and lay on land, or procure or willingly suffer to be discharged &c. any goods before he shall haue declared to the Customier, or other officer of the Port where he arriue, the names of euery of the Marchants or laders, and shall haue truely answered to such questions concerning such marchandise as shall be to him ministred vpon his othe, or other wise, by such Customier or Officer, he shall forfeit for euerie such default C. P. to the D. & J. wherein no W. &c. E. P. &c. 1. Eliz. 11.

The customier shall be aduertised of all merchandise brought in.

9 Euery Marchant alpen, and euery vitailer, or other stranger not being Denizen, which shall resort into anie place or Port of this Realme or Wales, shall duely imploy all the money receiued by him in any Port of the same Realme, or Wales, vpon the Marchandizes or other commodities of this Realme (sauing his reasonable costes by the oversight of the chiefe Gouernour of the place where he shall arriue) or without fraude

Aliens shall imploy their money in this Realme.

Marchants and Marchandises.

fraude shall put the same in due payment to the Queenes people within the Realme: the same imployment in payment to be duely prooued by the stranger befoze his departing out of the same Port, by w^{ri}ting from the Marchant to whom the said stranger hath paid his money, witnessing that he hath so done, or else by such proofes as shall seeme reasonable to the Customer or Comptroller of the same Port, and Maio^r, Bailife, or other chiefe Gouverno^r of anie such Citie, Borough, or Towne, where such port shalbe, vpon paine of forsaⁱture of al his goods, being within the Realme, and one yeere of imprisonment. 4. H. 4. 15. 17. Ed. 4. 1. 3. H. 7. 8. And marchants aliens shall find suertie in the Chauncerie euerie companie of them for their companie, that none shall carrie gold or siluer out of this Realme, against the statutes theretofore provided, vpon paine of forf. of the same or the value. 2. H. 6. 6. S. Money. 3. Customes. 9.

Marchants of
Ireland, Ier-
nesey, Garne-
sey.

10 Euery merchant of Ireland, Iernesey, & Garnesey, y^e bringeth any merchandise into this realme, shal imploy y^e money receiued for the same (his reasonable expences deducted) vpon the comodities of this realme, or else without fraud shall put y^e same money in due payment within this l^{an}d (the said imploiment or payment to be prooued as is aforesaid) vpon paine of forf. of y^e value of the marchadize so brought into this realme. 3. H. 7. 8.

None dwelling
in the countrey
shall sell wares
by retaille in a
market towne.

11 No person dwelling in the countrey any where within England out of anie Cities, Boroughs, Townes corporat, or market townes, shal sell, or cause to be sold by retaille, anie wollen cloth, linnen cloth, Haberdash wares, Grocerie wares, Mercerie wares, at, or within anie the said Cities, Boroughs, Townes corporat, or Market townes, or within th^e suburbes or liberties thereof (except it be in open faires) vpon paine of forf. for euerie time so offending vi. s. viii. d. and the whole wares so sol^d &c. to the R. & A. which will seise and sue for the same by A. T. B. P. &c. wherein no W. &c. E. P. &c. 1. and 2. P. and D. 7.

Countrey men
may sell wares
in grosse in
market townes.

12 This act shall not be hurtfull to anie persons that bring anie of the said wollen cloth, linnen cloth, Haberdash, Grocerie, or Mercerie wares, to anie of the said cities, market townes, &c. to be sold by whole sale, in grosse, and not by retaille, but euery of them may lawfully sell th^e same by whole sale, ingrosse, and not by retaille, as they might haue don befoze &c. 1. and 2. P. and D. 7.

When a coun-
treiman com-
eth to dwell
in a market
towne he may
sell by retaille.

13 This act shall not extend to anie persons that dwell in the countrey out of any of the said cities, boroughes, townes corporat, or market townes, but euery of them at anie time when he shall be free of anie of the guildes, or liberties, of anie of the said cities, or market townes &c. and dwell within any of them, shall or may sell, or cause to be sold anie of the wares aforesaid by retaille, Neither shall this act be preiudiciall to th^e liberties and priuiledges of the vniuersities of Oxford and Cambridge or either of them. 1. and 2. P. and D. 7.

Defens.
Cambridge.

14 It shall be lawfull to all persons to sell or cause to be solde by retail

retaille or otherwise, all linnen or woollen cloth of their owne making, Cloth of these
in euery Citie, Borough, or Towne corporat, and market Towne, as owne making
freely as they might haue done befoze, 1. & 2. H. and H. 7. sold by retaille.

1 In what sort Marchants and Handycrafts men shal pay their Tythes,
S. Tythes 30.

Marches.

If any Officer of any of the Courts of the East March, or West March Attachment.
adiopning vnto Scotland, do attach any person by his bodie, or by his
goods, out of any of the Counties of Northumberland, Cumberland, and
Westmerland, or the Towne of Newcastle vpon Tyne, to answere in any
of the said Courts, or by colour or cause of any maner of presentment
taken in any of the said Courts: It is lawfull for the person so attached
to make resistance, and not to obey any such Attachment. And if any per-
son be indammaged or grieued by such attachment, he may haue his acti-
on of Trespas, or Falle imprisonment, against them which shall make, or
cause to be made such attachment, and in the same shall recouer treble
damnages, if in the said action the matter pleaded passe, or be iudged for
the plaintife. And also the defendand shall haue ii. yeeres imprisonment,
and pay C. s. to the Queene. 31. H. 6. 3. S. Iustice of peace 65.

Mariners and Souldiers.

If any Souldier, Mariner, or Gunner, which taketh any prest or wa- Mariner de-
parting from
his Captaine.
ges to serue the Queene, her heires or successors, doth not go with, or
doth depart from his Captaine within his terme, for the which the Cap-
taine hath retained him, (except some impediment by the visitation of
God suffer him not to goe,) which he shall certifie immediatly to his Cap-
taine, & repay his prest money, or except he do obtaine licence of his Cap-
taine vnder his seale, it is Felonie, and he shall be punished as a Felon, 18.
H. 6. 19. 5. Eliz. 5. 27. Eliz. 11. 39. Eliz. 18.

2 No Mariner or Fisherman haunting the Sea as a mariner, or fisher- Mariner or fi-
sherman shall
not serue as a
souldier.
man, shall be compelled against his will to serue as any Souldier vpon
the land or sea, otherwise then as a Mariner, except it shall be vnder any
Captaine of some ship or vessell for landing to do some exploit, which ma-
riners haue vsed to doe, or vnder any other person hauing authoritie to
withstand inuasion of enemies, or to subdue any rebellion within the
Realme. And also except all such persons, as by tenure, lawfull custome,
or couenant be bound to serue. 5. El. 5. 39. El. 18.

3 No Fisherman, vsing or haunting the Sea, shall be taken by the By what
meanes fisher-
men shall be
taken to serue
as Mariners.
Queenes commission to serue her Highnesse as a Mariner on the sea, but
he said commission shall be first brought by the Queenes taker to two
Iustices of peace, next adiopning and inhabiting to the said Sea coastes,
Townes, or other places where the said Mariners are so to be taken, to
be intent the said Iustices may chuse out, and cause to be returned such
sufficient number of able men, as in the said Commission shall be contai-

Mariners and Souldiers.

ned to serue her Maiestie. 5. Eliz. 5. 27. Eliz. 11. 39. Eliz. 18. to continue till the end of the next Parliament.

Wandering
Souldiers &
Mariners shall
settle themsel-
ues to worke.

Felonie.

Wandering
souldiers and
mariners shall
haue Testi-
monials.

Counterfai-
testimoniall.

Iustices of Al-
fle, gaole deli-
uerie, and peace,
may heare and
determine these
offences.

Taking the of-
fendor into ser-
uice for a yeere.

4 All idle and wandering Souldiers or Mariners, or idle persons, which now are, or hereafter shall be wandering, as Souldiers or Mariners, shall settle themselves in some seruice, labour, or other lawfull course of life, without wandering, or otherwise repaire to the places where they were borne, or to their dwelling places, if they haue any, and there remaine, betaking themselves to some lawfull trade or course of life, as aforesaid, vpon paine that all persons offending contrarie to this Act, to be reputed as Felons, and to suffer as in case of Felonie, without any benefit of Clergie to be allowed. 39. Eliz. 17.

5 And euery idle and wandering Souldier or Mariner, which coming from his Captaine from the Seas, or from beyond the Seas, shall not haue a Testimoniall vnder the hand of some one Iustice of peace, of or neere the place where he landed, setting downe therein the place & time, where, and when he landed, and the place of his dwelling or birth, vnto which he is to passe, as aforesaid, and a conuenient time therein limited for his passage, or hauing such Testimoniall, shall wilfully exceed the time therein limited, aboue fourteene daies: And also aswell euery such idle and wandering Souldier or Mariner, as euery other idle person wandering, as Souldier or Mariner, which shall at any time hereafter forge or counterfai any such Testimoniall, or haue with him or them any such Testimoniall forged, or counterfai, as aforesaid, knowing the same to be counterfai, or forged, in al these cases euery such act or acts to be Felonie, and the offenders to suffer as aforesaid, without any benefit of Clergie. 39. El. 17.

6 It shall and may be lawfull for the Iustices of Assises, Iustices of gaole deliuerie, & Iustices of peace of euery Countie, and for all Iustices of peace in Townes corporat, hauing authoritie to heare and determine Felonies, to heare & determine all such offences in their generall Sessions, and to execute the offenders which shall be convicted befoze them, as in cases of Felony is accustomed: Except some honest person valued at the last Subsidie next befoze the time, to x. pounds in goods, or xl. shillings in lands, or els some honest Freeholder, as by the said Iustices shall be allowed, will be contented befoze such Iustices as such person shall be arraigned of Felony, to take him or them into his seruice for one whole yeere then next following, and then befoze the said Iustices will be bound by Recognizance of x. pounds, to be leuied of his lands, goods, tenements, and chattels, to the vse of our soueraigne Ladie the Queene, if he keepe not the said person or persons for one whole yeere, and bring him to the next sessions for the peace and gaole deliuerie next insuing after the said yeere. And if any such person retayned depart within the yeere, without the licence of him that so retayned him, then to be indicted, tried, and

and iudged as a Felon, and not to haue the benefit of the Clergie. 39.

El. 17.

7 *Provided* alwaies, that if any such idle and wandring person as aforesaid, shall happen to fall sicke by the way, so that by reason of his weaknes he cannot trauaile to his iournyes end within the time limited within his Testimoniall, no such to be within the danger of this Statute, so as he settle himselfe in some lawfull course of life as aforesaid, or repaire as aforesaid to the place where he was bozne, or was last abyding, within convenient time after the recouerie of his sicknes, & there remaine as aforesaid: any thing &c. notwithstanding. 39. El. 17.

The idle wanderer falling sick by the way.

8 *Provided* also, that when any such Souldier or Mariner, comming from the seas, or from beyond the seas, as aforesaid, shall repaire to the place of his dwelling or birth, according to the purport of the said Testimoniall, and cannot of himselfe there get any worke, whereby to imploy himselfe to labour, or other lawfull course of life as aforesaid: That then in all such cases vpon complaint made by such Souldier or Mariner to two Iustices of peace of the said Countie, of, or neere the said place, the said two Iustices shall take order by their discretion, to set such souldier or mariner to some such honest labour or worke, as to them shall bee thought meete: And for want of such worke, the said two Iustices shall take the whole Hundred by their discretion, for the reliefe of such Souldier or Mariner, till such sufficient worke may be had. 39. El. 17.

A remedie where the wanderer cannot get worke.

The Hundred taxed for the reliefe of a souldier or mariner

9 *Provided* also, that if any such Souldier or Mariner comming from the seas, or from beyond the seas as aforesaid, shall not at the time of his landing, or in his trauaile to the place, whereunto he is to repaire as aforesaid, going the direct way, * that then he resort to some Iustice of peace, next adioyning to the said place of landing or way, & make knownen vnto the said Iustice his pouertie: Who vpon perfect notice thereof had, shall haue full power and authoritie by this present Act, to licence the same Souldier or Mariner to passe the next and direct way to the place where he is to repaire, and to limit him so much time onely, as shall be necessarie for his trauaile thither: And that in such case his licence being so made, and he pursuing the fourme of such his licence, shall and may for his necessarie reliefe in his such trauaile, aske and take the reliefe that any person shall willingly giue him, and in such case, his such trauaile & taking of almes as aforesaid, shall not be taken an offence against the law. 39. El. 17.

* See the Parliament Roll.

The souldier or mariner licensed, may aske & take reliefe.

10 *Provided* also that this Act, nor any thing therein contained, shall extend or be interpreted to make or worke any corruption of blood in any the heires, or heire, of any such offender or offenders: any thing in this Act to the contrarie notwithstanding. 39. El. 17. To continue to the end of the next Parliament next ensuing.

No corruption of blood.

Marshall, Marshallie.

- 1 For the Mariners forfaiture for transporting Corne, Beere, Butter, Cheefe, &c. S. Corne 1.
- 2 For the Mariners forf. for the transporting of Leather. S. Leather 33.
- 3 A prouision for the reliefe of Mariners and Souldiers. S. Capitaines 17. &c.
- 4 For the punishment of Watermen which hide themselves in the time of pressing. S. Boatmen 6.

Marshall, Marshallie.

Of what things
the Marshall of
the Queenes
house shall hold
plea.

The Steward & Marshalls shall not hold plea of freehold, nor of debt, nor covenant, nor any contract made betweene any of the Queenes people, but onely of trespass done within the Queenes house, or other trespasses done within the verge, and of such contracts, and covenants, that one of the Queenes house maketh with an other within the same house, and not elsewhere, and they shall plead no plea of trespass except the partie were attached by them, before the Queene depart from the verge where the trespassse was committed, and they shall plead them speedily from day to day, so that they may be pleaded and determined before the Queene depart out of the limits of the same verge, where the trespassse was committed. And if they cannot be determined within the limits of the said verge, the pleas shall cease before the Steward, and be determined at the common Law. The Steward shall not take cognisance of debts, nor of other things, but of such persons onely which be of the Queenes house, nor shall hold any other plea by obligation made by a distresse taken by the Steward, or Marshall. And if they attempt any thing contrarie to any part of this statute, is void. 28. Ed. 1. 3. Articuli super chartas.

Cognisance
of debts.

The def. shall
not be estopped
by the plaintiffs
declaration.

2 If any plee of debt, detinue, or other plee personall be commenced betwixt any persons being not of the Queenes house, though the record do make mention that the plaintife and defendant in the same plee be of the Queenes house, yet the defendant shall not be estopped by such record, but may haue his auerrement, that he himselfe, or the said plaintife were not of the Queenes house at the time of the said plee or suit commenced. 15. H. 6. 1.

During the D.
abode the Mar-
shall may keepe
his court with-
in franchises.

3 In all places where the Queene in her owne person shall come to rest, abide, or make repose, there within the verge limited to her Graces Court (which shall not passe the space of twelue miles, to be accompted from her lodging. 13. R. 2. 3.) Her Steward, Marshall, Coroner, and all other Officers may keepe their Courts for Justice, and execute their offices which shall appertaine vnto them, according to the lawes, customes, and statutes of this Realme, as well within liberties as without, during the time of the Queenes abode: any priuiledge or graunt notwithstanding. 27. H. 8. 25.

The verge xij.
miles.

Enquests in
the Marshalls
court.

4 In euery case where Enquests be to be taken before the Steward and Marshall of the Queenes house, such enquests shall be taken by men of the

of the countrey thereabout, and not by any of the Queenes house, except it be of contracts, couenants, or trespasses made by such whereof the one part and the other is of the Queenes house, and that in the same house, 5. Ed. 3. 2. 10. Ed. 3. 3.

5 If any man will complaine of Error made befoze the Steward and Marshall of the Queenes house, he shall haue a writ to remoue the record and the proces into the Kings bench, and there the Error shall be redressed. 5. Ed. 3. 2. 10. Ed. 3. 3. Error in the Marshalls court shall be reuerfed in the Kings bench.

6 The Marshall of the Marshalsey of the Queenes house may take the fees hereafter following in open court: that is, of euery person which cometh by Capias to the said court iiii. s. and if he be let to mainprise vntill his day ii. s. moze. And of euery person being defendant which is impleaded of trespas, and findeth two mainpernoys to keepe his day vntil the end of the plee ii. s. And of euery person committed to prison by iudgement of the Steward, in whatsoener maner the same be iiii. s. And of euery person deliuered of felonie iiii. s. And of euery felon let to mainprise by the Court iiii. s. But if the Marshall, or any of his Officers vnder him, do take any other fees then are befoze declared, the said Marshall, & euery of his officers shall loose their offices, and also shall pay to the P. griued treble dammages, for the which the said partie shall haue his suit befoze the Steward of the said Court, for the time being. A seruiter of billes which beareth a staffe of the same court, shall take for euery mile from the same court, vntill the same place where he shall do his seruice a penie, and for xii. miles xii. s. and to serue a Venire facias or a Distringas out of the same court the double, and if any seruiter of bills do the contrarie, he shall be imprisoned, & make fine to the D. after the discretion of the Steward of the same court, & also be foriudged & banished the same court. All which articles the Steward at his coming into the Countrey, hath authority to proclaime & put in execution, 2. H. 4. 23. And Priestes, & other ecclesiasticall persons taken in the Marshalsey of the D. house, shall pay such fees, as lay people shall reasonably pay, and no moze. 9. R. 2. 5. The Marshalls fees.

7 The Steward of the Marshalsey shall be for euer from time to time assigned by writting vnder the seale of the Lord Steward of the Queenes house for the time being. 33. H. 8. 12. Seruiter of billes.

1 In what cases the plaintifes shall aunswere dammages in the Marshalsey. S. Damages 2.

22 Where the Marshall shall not let to bayle him, which is in the Kings bench. S. Mainprise 42.

Matrimonie.

AL persons be lawfull to contract Mariage, that be not prohibited by Gods law to marie, & no reseruatioun or prohibition (Gods law except) shall trouble or impeach any mariage, without the Levitical degrees. And no person of what estate, degree, or condition soeuer he or she be, shall

be admitted in any of the spirituall Courts within the Queenes Realme, or any her lands, and dominions, to any proces, plea, or allegation contrarie to this Act, 32. H. 8. 38. 1. Cl. 1. In the said Statute of 32. H. 8. it was ordeined, that Mariage being contract & solemnized in the face of the Church, and consummate with bodily knowledge, or fruit of child, or children, betweene the parties so married, should be good & indissoluble, notwithstanding any precontract of Matrimonie not consummat with bodily knowledge, which either of the persons or both should haue made with any other befoze the time of contracting that mariage so solemnized & consummate &c. But that part of the statute is repealed by 2. Ed. 6. 23.

Mault.

How long mault shall be in the fatte, flower, keeping, and drying.

NO persons or persons shall make any Barley Mault, (the monethes of June, July, and August onely except) but the same shall haue in making thereof, that is to say, in the fatte, flower, keeping, and sufficient drying of the said Mault, three weekes at the least. And no person or persons, at any time within the said monethes of June, July, and August, shall make any Barley mault, except the same haue in the fatte, flower, keeping, and sufficient drying, the time & space of xvii. daies at the least: Under and without which time and times, the said Mault cannot be well and perfectly made, nor wholesome for mans bodie, vpon paine to forfait for euery Quarter of Mault, which shall be made by any person or persons, contrarie to the tenor, purport, and true meaning of this Act, ii. s. to the D. and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 2. Ed. 6. 10. 39. Cl. 18.

None shall mingle good Mault with sull.

2 No person or persons, shall mingle or put together any Mault, not being well and sufficiently made, or being made of Howburnt or spired Barley with other good Mault, and after put the same so mingled to sale, vpon paine to forfait for euery Quarter so mingled and put to sale, ii. s. to the D. and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 2. Ed. 6. 10. 39. Cl. 18.

Mault shalbe well troddē, rubbed, & fanned.

3 If any person or persons, shall put to sale any Mault, which shall not be sufficiently & well trodden, rubbed, and well fanned, whereby there may be conueniently fanned out of one Quarter thereof, halfe a pecke of dust, or moze: then the person so putting the same to sale, shall forfeit. for euery Quarter so put to sale xx. s. to the D. and J. to be recovered by A. B. P. or J. wherein no W. C. P. or J. &c. 2. Ed. 6. 10. 39. Cl. 18.

Justices, Stewards of lerts, and officers of Townes, shall punish offenders.

4 The Justices of peace, in euery of their Sessions, and also the Stewards in euery Leete, shall haue full power and authoritie, by vertue of this Act, to inquire, heare, and determine, aswell by presentment of xii. men, as by accusation or information of two honest witnesses, of, for, and vpon all and euery the offences and forfeitures aforesaid, aswell for the Queene, as the partie that shall sue, procure, or cause the same to be presented, as is aforesaid. And the Bailifes and Constables of euery

Worrough,

Borough, or Market towne, or other Towne, where any such Mault shall be made, or put to sale, shall haue full power and authoritie, from time to time, to view, search, and suruey all such Mault, as shall be made or put to sale, within any of the said Townes. And if any of them, shall thereupon find any Mault so put to sale, being euill made, or mingled with euill Mault, contrarie to the tenor and true meaning of this Act: Then the Baylife or Constable, so finding any such Mault, euill made or mingled, as is aforesaid, with the aduise of one Justice of peace within the same Shire, shall cause the same to be sold to such person or persons, and at such reasonable price, or prices, and vnder the common price of the market, as to his discretion shall seeme necessarie and expedient. 2. Ed. 6.

10. 39. El. 18.

5 This Act, nor any thing therein contained, shall not extend to charge, or be, to the making of Mault, for any mans owne provision, for his owne house or familie, neither prejudiciall to any person or persons, for, or concerning any the offences or forfeitures aforesaid: Except he or they so offending, shall happen to be sued, presented, and accused for the same, in manner and forme aforesaid, within one yeere next after any such offence or offences shall be done or committed: any thing &c. notwithstanding. 2. Ed. 6. 10. 27. El. 14. 39. El. 18. To continue to the end of the Parliament next following.

Mault, made for a mans owne provision.

6 From time to time, and at all times hereafter it shall and may be lawful for the Justices of peace within this Realme in their open quarter Sessions, or the moze part of them, by their discretions, to suppress, discharge, or restraîne the superfluous and vnnecessarie number of Maultsters in part, or in the whole: And also to restraîne such person and persons, as to their discretions shall seeme meete, from the buying of Barley to conuert into Mault, in part, or in all, for such time or times as to their discretions shall seeme meete: And if any person or persons shall refuse, disobey, or not performe such suppressing, discharging, or restraint, or any order whatsoever the said Justices shall set downe touching the same: Then and so often such person and persons being thereof duely convicted before the said Justices, or any two of them, by the testimonie of two witnesses, or by his owne confession, shall be by the said Justices committed to the common Gaole of the Countie, City, or corporat Towne where the offence is committed, there to remaine without baile or mainprise, by the space of thre dayes, & from thence vntill he shall be become bounden by Recognizance in the summe of xl. li. to be taken to the vse of her Maiestie, before any Just. of p. to stand to, performe, and obey such suppressing, discharging, or restraint taken by the said Justices, as aforesaid. 39. El. 16.

That Justices of peace may restraîne the number of Maultsters.

Buying of Barley.

7 Provided alwaies, that the said Justices of peace, within any Countie of this Realme, shall not intromit, or enter into any citie, borough, or owne corporat, for execution of any article in this Act, except he be a

Cities, Boroughs, and Townes corporate.

Justice of peace also in the said citie, borough, or towne corporat, but that it shall be lawfull to the Justices of peace, Maiors, Bailifes, & other head officers of those cities, boroughes, & townes corporate, where they keepe Sessions to proceed to the execution of this Act, and every article thereof within the precincts of their liberties, at such time and times, and as often as to them shall seeme meete, in as large and ample manner, as the Justices of peace in any Countie may doe. 39. El. 16.

Barley growing,
rythe, or
rent.

8 Provided also, that it shall and may be lawfull, to, & for every person and persons, which shall haue of his owne any Barley or Corne growing, or any rythe Corne, or rent Corne, reserved upon any lease or demise, to convert into Mault all or any such Barley or Corne: any thing in this present Act to the contrarie notwithstanding. 39. El. 16.

None shall med-
dle, which vseth
to make Mault

9 Provided also, that no maner of person or persons shall deale, or meddle in the execution of this Act, that vse to buy Barley to convert to Mault, and to sell the same againe. This Act shall not endure or continue longer time, but untill the end of the next Session of the next Parliament. 39. El. 16.

Mesne.

When chiefe Lords doe distreine in their fee for customes and seruices due vnto them, and there is a Mesne which ought to acquite the tenant, sithence it lieth not in the mouth of the Tenant after he hath repleuied the distress, to denie the demaund of the chiefe Lord which auoweth in the Queenes Court, that the distresse is lawfully taken upon his tenant, viz. upon the Mesne: this remedie following is provided for the tenant, That assoone as the Tenant in Demesne (hauing a Mesne betweene him and the chiefe Lord) is distreined, immediatly the Tenant shall purchase a writ of Mesne. And if the Mesne hauing land in the same Countie will make default untill the graund distresse be awarded, the plaintife shal haue such day given him in his writ of Graund distresse, that befoze the comming thereof, two counties may be holden, and the Shirife shall be commaunded that he do distreine the Mesne by the graund distresse, as in the writ is contained: And neuerthelesse the Shirife in two full counties shall cause solemnely to be proclaimed, that the said Mesne shall appeare at the day contained in the writ, to answer the Tenant: At which day if he do appeare, the suit shall proceed betwixt them according to the accustomed maner, and if he do not appeare, then the said Mesne shall loose the seruice of his tenant, and from thenceforth the tenant shall not answer him in any thing, but (leaving the Mesne) shall answer the chiefe Lord those seruices and customes which befoze time the foresaid Mesne had wont to doe. But the chiefe Lord shall haue no power to distraine the tenant in demesne so long as the said Tenant doe offer him his seruices due and accustomed. And if the

The Mesne
foundged of
his mesnaltie.

the chiefe Lord do require moze then the Mesne ought to do vnto him, the tenant in this case shall haue the same exception against the Lord, which the Mesne should haue had. And if the Mesne haue nothing in the Queenes power, yet the tenant shall purchase his writ of Mesne to the Sherife of that countie wherein he is distreined, & if the Sherife returne that he hath nothing, whereby he may be summoned, yet a writ of Attachment shall be awarded, and if the Sherife returne that he hath nothing whereby he may be attached, yet a writ of Graund distress shall be awarded, & Proclamation shall be made in forme aforesaid. If the Mesne haue no land in the Countie wherein the distresse is taken, but hath land in some other countie, then an Original writ shall be awarded to summon y^e Mesne, to the Sherife of that countie wherein the distress is taken, and when that Sherife shall returne that he hath nothing in his countie, then a Judicial writ shall be awarded to summon the Mesne to the Sherife of that countie wherein it is testified that he hath land & the suit shall proceed in that countie vntill it is come to the Graund distress & Proclamation, as before is said of the Mesne hauing land in the same Countie where the distresse is taken, & neuerthelesse suit shall be in the countie wherein he hath nothing, (as before is said of the Mesne hauing nothing) vntill it be come to the graund distresse & proclamation, and so after proclamation made in both counties, the Mesne shall be foreiudged of his fee & seruice. And whereas it chaunceth sometime that the tenant in demesne is enfeoffed to hold of the Mesne by lesse seruice then the Mesne ought to do vnto the chiefe Lord, when after such Proclamation the tenant hath atturnd vnto the chiefe Lord (omitting the Mesne) the tenat must of necessitie answer the chiefe Lord the seruices & customes, which the Mesne before ought to haue done vnto him. And after the Mesne doth come into the court, & doth acknowledge that he ought to acquit his tenant, or is adiudged to acquite him, if after such acknowledging or iudgement, there be cōplaint made that the Mesne hath not acquitted his tenat, thē a Judicial writ shall be awarded, that the Sherife shall distreine the Mesne to acquite the tenant, and to appeare before the Iustices at a certaine day, to shew why he did not acquite him before. And when he appeareth at the distresse the plaintife shall be heard, and if the plaintife can verifie that he hath not acquitted him, he shall yeeld him dammages, and by award of the Court, the tenant shall goe quite from his Mesne, and atturnd vnto the chiefe Lord, and if he doe not appeare at the first distresse, another writ of distresse shall be awarded, and proclamation shall be made, & as soone as that is returned, iudgement shall be giuen as is aforesaid. And it is to be noted, that by this Statute,

The tenant holding by lesser seruice then the Mesne doth.

the tenants be not excluded, but they may haue their warrantie of the Mesne.

Mesnes and their heires if they be impleaded of their tenements as they haue had before, neither be the tenants excluded, but they may sue their Mesnes according to the custome before time vsed, if they see that the processe

The tenant may take his remedy giuen by the common lawe.

Monasteries, &c.

For which
Hesne this
statute is pro-
vided.

processe in ancient time vsed, may moze auaille them then that which is giuen by this stat. And it is to be vnderstanded, that by this statute, there is no remedie provided for all Hesnes, but only in case where there is but one only Hesne betwixt the Lord that doth distraine and the tenant, and but in such case where the Hesne is of full age, and but in such case where the tenant without the prejudice of any other then of the Hesne, may atturue to the chiefe lord, the which is said for women that be tenants in Dowter, tenants by the curtesie of England, or otherwise tenants for terme of life, or in fee taile, for whom by this statute no remedy is provided. *24. 2. 13. Ed. 1. 9.*

Monasteries, Colledges, Freechappels, Chauntries.

Monast. giuen
to the R. which
had not in lads
aboue CC. li.
by the yeere.

Ano. 27. H. 8. it is enacted, that the said King H. 8. shall haue and enioy to him and his heires for euer, all such Monasteries, Priories, and other religious houses of Monkes, Canons, and Nunnes, which haue not in landes, tenements, rents, tithes, portions, and other hereditaments, aboue the cleere peerly value of CC. li. And in like maner shall haue all the scites and circuits of euery such religious houses, and all and singuler the manors, granges, meases, lands, tenements, rents, reuerfions, seruices, tithes, pentions, Churches, chappels, aduowsons, patronages, annuities, rights, condicions, and other hereditaments, belonging to euery such Monasterie, Priorie, or religious house, in as large maner, as the Abbots, Priors, Abbesses, and other Gouvernours of such religious houses &c. now haue or ought to haue the same, in the right of their houses: And also hee shall haue to him and to his heires, all such Monasteries, Abbies, and Priories, which at any time within one yeere next before the making of this act, haue bene giuen & graunted to his Maestie by any Abbot, Prior, Abbess, or Priorresse, vnder their couent seale, or that otherwise haue bene suppressed, or dissolved, & all the manors, lands, &c. and hereditaments to any of the same monasteries &c. belonging, And the king shall haue the actuall and reall possession of all the said religious houses, so that he may giue and dispose them at his pleasure, without further inquisitions or offices to bee found for the same. And the king shall haue to his owne vse all such ornaments, iewels, goods, cattels, and debts which appertained to any of the chiefe gouernours of the said monasteries or religious houses, in the right of their said monasteries, or houses, at 1. Marcij. An. D. 1535. or at any time sithence, wheresoeuer they shall come, except only such beasts, graine, & woods and such other like cattell and reuenues, as they haue sold before the said first day of March, or sithence, for the resonable expences of any of the said houses &c.

Monast. goods
giuen to the
king.

A confirmatiō
of the kings
letters patents
made of Abbey
lands.

2 And in the same statute it is further enacted, that euery person and bodies politique, and corporat which haue or shall haue any letters patents of the king of any of the scites, circuits, manors, lands, &c. or other hereditaments which appertaine to any monasteries, abbies, or priories, heretofore

heretofore suppressed, or that shall be suppressed by this act, shall haue and enioy the said scites, landes &c. and all other hereditaments contained in their letters patents, according to the tenour of the same letters patents, and shall also haue all such actions, suits, entries & remedies to all intents for any thing contained in euerie such letters patents, in like maner as the chiefe gouernors of any religious houses had the same, or ought to haue had, if they had not bene suppressed. 27. H. 8.

3 Saving to euery person and persons, and bodies politique, their heires and successors (other then the Abbots, Priors, Abbesses, Prioresses & other chiefe gouernors of the said religious houses especified in this act, & the couents of the same & their successors, and such as pretend to bee

Other mens titles saued.

founders, patrons, or donors of such religious houses, or of any lands, tenements, or hereditaments belonging to the same, & their heires & successors) all such right, title, interest, possessions, leases for yeeres, rents, seruices, annuities, commodities, fees, liberties, & liuings, pensions, portions, corodies, linodes, proxies, & all other profits, as they or any of them hath, ought or might haue had, in or to any of the said Monasteries, or other religious houses, or in, or to any manors, lands, or other hereditaments, that appertaine to anie of them, as if the same houses had not bin suppressed by this act, but had continued. And saving unto euery person and persons, being founders, patrons, or donours of any Abbey, priorie, or other religious houses suppressed by this act, their heires and successors, all such right, title, interest, possession, rents, annuities, fees, offices, leases, commons, and all other profits, which anie of them haue, or should haue had, without fraud or couin by any meanes, otherwise then by reason or occasion of the dissolution of the said Abbey, Prioories, or other religious houses, into, or vpon any of the said Abbies &c. wherof they be founders, patrons, or donours, or into or vpon any lands, tenements, or other hereditaments belonging to the same, in like maner, as other persons and bodies politique, be saued by this act, as is befoze rehearsed, And as if the same Abbies, Prioories, or other religious houses had not bin suppressed by this act, but had continued in their essentiall bodies and estates. 27. H. 8.

The founders right of something saued.

4 All craftie and fraudulent recoueries, feoffements, estates, gifts, graunts, & leases, & euery of them, made by anie of the chiefe Gouernors of such religious houses, vnder their couent seales within one yeere next befoze the making of this act, shall be vtterly void. 27. H. 8.

Fraudulent conuiances.

5 Such persons as haue leases for terme of life or yeeres, whereupon is reserved the old rent, and seruices accustomed, & such as haue any offices, fees, or corodies, that hath bene accustomed in such religious houses, and haue bought any liuerie or liuing in any such houses, shall haue and enioy the same, as if this act had neuer bin made. 27. H. 8.

Leases, offices, fees, corodies, saued.

6 But this acte shall not be prejudiciall to any Abbots or Priors of any Abbies or Prioories, being certified into the Eschequer, to haue in possessions

Celles of houses vnder the obedience of others.

possessions and profits, spirituall & tempoꝛall, aboute the cleare yeerely value of CC. li. concerning such Celles of religious houses, belonging to their Monasteries or Priories, in which Celles the Priors, or other chiefe Gouvernoꝛs thereof, bee vnder the obedience of the Abbots and Priors to whom such Celles belong, and cannot sue noꝛ be sued, and be Priors or Gouvernoꝛs datiuē or remouēable, and account of the profits of such celles at the pleasure of the Abbots and Priors, &c. 27. H. 8. a Statute not imprinted. S. Husbandrie. 8.

All religious houses which before were, or should be dissolved, given to king H. 8.

7 Anno 31. H. 8. 13. It is enacted, that the King shall haue & enioy to him his heires and successors foꝛ euer, all and singuler such late Monasteries, Abbathies, Priories, Nunries, Colledges, Hospitals, houses of Friers, and other religious and ecclesiasticall houses and places, which sithence. 4. Febr. An. 27. H. 8. haue bin dissolved, suppressed, renounced, relinquished, forfeited, giuen vp, or by any other meanes come to his highnes, And in like maner shall haue and enioy, all the scites, circuits, precincts, manors, lordships, granges, mefes, lands, tenements, medowes, pastures, rentes, reuerfions, seruices, woods, tithes, pensions, portions, parsonages appropried, vicarages, churches, chappels, aduowfons, nominations, patronages, annuities, rights, interests, entries, conditions, commons, leetes, courtes, liberties, priuiledges, franchises, and other whatsoeuer hereditaments, which appertained to the said late Monasteries, and other religious houses &c. or to any of them, in as ample maner, as the late Abbots, Priors, & other ecclesiasticall Gouvernoꝛs of such monasteries and religious houses, had, held, or occupied, or of right ought to haue had, holden, or occupied, in the right of their said Monasteries, or religious houses at the time of the said dissolution, or by any other meane, comming of the same to the king, sithence the said fourth day of February. And not only all the said late Monasteries, Abbathies, and other religious houses, scites, circuits, manors, lands, and all other the premisses forthwith presently, but also all other monasteries, and all other religious and ecclesiasticall houses and places, which hereafter shall be dissolved, suppressed, or by any meane come vnto the King. And also all the scites, circuits, manors, lands, & other hereditaments whatsoeuer belonging to any of them, whensoever, and as soone as they shalbe so dissolved, or by any other meane come vnto the King, shal be vested, and adiudged in the very actuall and reall seisin and possession of the King, his heires and successors foꝛ euer, in the state and condition as they now be, and as though all the said late monasteries, abbathies, and all other religious and ecclesiasticall houses & places so dissolved, & suppressed, as also which hereafter shal be dissolved, suppressed, &c. or come vnto the King, scites, circuits, precincts, manors, lordships, granges, landes, tenements, and other the premisses and euerie of them, were in this present act specially and particularly named by expresse words.

8 Saving to euerie person and persons, and bodie^s politique, and the heires and succello^rs of euerie of them (other then the said late Ab^bots, and ecclesiasticall Gouvernours of the said late monasteries, and other religious and ecclesiasticall houses and places, and the succello^rs of euerie of them, and such as p^retend to be founders, patrons, and donors of such monasteries, and other ecclesiasticall houses and places, or of any manors, messuages, landes, tenements, and other hereditaments, belonging to the same, their heires, and succello^rs, and the heires and succello^rs of euerie such Patron, Founder, or donor, and the now Abbots, and other Ecclesiasticall Gouvernours, of such Monasteries and religious houses and places which hereafter shall be dissolued or come to the king, And such as p^retend to bee Founders, Patrons, or Donors of such Monasteries and Ecclesiasticall houses and places, or of anie manors, messuages, landes, tenements, or other hereditaments to any of them belonging, their heires and succello^rs,) all such right, title, claime, interest, possessions, rents, charges, annuities, leases, farmes, offices, fees, liueries, and liuinges, porcions, pencions, corodies, commons, sinodes, p^rores, and other profits, which they or any of them haue, claime, ought, may, or might haue had, in, or to the p^remises, or to any part or parcell thereof, in such like maner to all intents, as if this act had neuer bene made (rents seruices, rents seckes, and all other seruices, and suits only excepted.) 31. H. 8. 13.

Other monasteries titles saved.

9 If any Abbot, Prior, Abbess, Priores, or other ecclesiasticall go^vernor or gouernesse, of any Monasterie, Abbathie, or other religious or ecclesiasticall house or place which hereafter shall be dissolued, suppressed or come to the king, within one yeere next before the first day of this Parliament (being 28. Aprilis, An. Do. 1539.) haue made, or hereafter doe make any lease or graunt vnder his couent or common seale, or otherwise for terme of yeeres, or life or liues, of the scite, circuit, and p^recinct of the said monasterie, or ecclesiasticall house or place, or of any part thereof, or of any manors, messuages, lands, or other hereditaments, belonging to his said Monasteries, or ecclesiasticall house or place, which manors, messuages, granges, landes, &c. or other hereditaments, were not before the same lease commonly v^sed to bee let to ferme, but reserued in the manurance, tillage, or occupation of the said Gouvernour or Gouvernesse, for the maintenance of Hospitallitie, and good house keeping, or now bee in the manurance, tillage, or occupation of y^e said Gouvernour or Gouvernesse, for maintenance of hospitallity, &c. Or within one yeere next before y^e first day of this Parliamēt hath made, or hereafter shal make any lease or graunt, or terme of life, or for terme of yeeres, of any Manors, Messuages, Land &c. or other Hereditaments, whereof and in the which, any estate or interest, or terme of life, yeere or yeers at y^e time of the making of any such graunt or lease then had his being or continuance, or hereafter shall haue his being

Leases of lands not usually let.

Leases in reversion.

Monasteries, &c.

Leases not re-
serving the
old rent.

ing or continuance, & then was not determined or expired, or at the time of any such Lease to be made, shall not be determined or expired: And within one yeere next before the first day of this Parliament hath made or hereafter shall make any Lease or graunt for terme of life, or for terme of yeeres, of any Manors, Mesuages, Lands, or other Hereditaments, upon the which Leases or grauntes, the vsuall and olde rents and farmes accustomed to be yeelded and reserved, by the space of xx. yeeres, next before the first day of this Parliament, is, or be not, or hereafter shall not be thereupon reserved and yeelded. And within one yeere next before the first day of this Parliament hath made, or hereafter shall make any bargaine or sale of his woods, which woods be yet growing and standing, then all and euery such lease, graunt, bargaine, and sale of woods, shall be utterly void. 31. H. 8. 13.

Wood sales.

Assurance of
lands without
the kings li-
cence.

IO All feoffements, fines, and recoueries, had, made, knowledged, or suffered, within one yeere next before the first day of this Parliament, or hereafter to be made, knowledged &c. by any Gouvernours or Gouvernelles, of any Monasterie, or other religious or ecclesiasticall house or place, which hereafter shall be dissolued, suppressed &c. or come to the king, without the kings licence, vnder his great seale, of any manors, meases, landes, tenements, or other hereditaments, which the said Abbots, and other ecclesiasticall gouernours & gouernelles, or any of them, or any of their predecessours, had or held, or haue and hold of the gift, graunt & confirmation of the King, or any of his progenitors, or of the which Monasteries, or ecclesiasticall houses, the king is founder or patron, or which manors, meases or hereditaments, were or be of the auncient foundation or possession of the same Monasteries, Abbathies, or ecclesiasticall houses or places, shall be utterly void. 31. H. 8. 13.

¶ In the same statute the like puruiew was made in euerie respect, to auoid all leases of lands not vsuallly let, leases in reuersion. Leases not reserving the old rent, sales of woods, assurances of lands of the kings gift or auncient foundation, without the kings licence, made by any Abbots or gouernours of any religious houses, which were before the making of the said statute dissolued within one yeere next before the dissolution or comming to the kings hands of the same houses.

Leases made
within the
yeere to the old
lessees.

II But if any Abbot, Prior, Abbess, Prioresse, or other Gouvernour or Gouvernelle abouesaid, within one yeere next before the first day of this Parliament, or if any late Gouvernour or Gouvernelle, &c. which in one yeere next before any such dissolution or comming to the king of the premisses haue made any demise, lease, or graunt, to any person for terme of yeeres, of any manors, meases, landes, or other hereditaments aforesaid, which person at the time of the said demise &c. had the same for terme, for terme of yeeres, then not expired: Then the said person to whom any such demise &c. hath bene so made, shall haue the same for terme

of xxi. yeeres, only from the time of the making of the said demise &c. if so many yeers be by the same demise &c. limited & expressed, or else for so many yeers as in such demise bene expressed, so that the old rent be thereupon reserved, & so that the same lease exceed not xxi. yeeres. And if any Abbot, or other late gouernor or gouernesse, within one yeere next before any such dissolution or comming vnto the King of the premisses, haue made any demise, lease, or graunt, to any person or persons for terme of life or liues, of any manors, meases, lands, or other hereditaments aforesaid, which person or persons, or any of them, at y^e time of the said demise, lease or graunt, had & held the same for term of life or liues, or for term of yeers: he not expired: Then y^e said person or persons, to whom any such lease or graunt hath bene so made, shall haue and hold the same for terme of their life or liues, so that the old rent be thereupon reserved. And all & singular leases & graunts made by copie to any person or persons, of any of the said messuages, lands, tenements, &c. or other hereditaments aforesaid, for terme of life or liues, which by the custome of the countrie hath bene vsed to be demised, letten, or graunted by copie of court rolle, shall be good and effectuell in the law, so that the old rent be reserved by & vpon euery such lease and leases. This act &c. notwithstanding. 31. H. 8. 13.

Lease for life to the old lessee.

Grauntes by copie.

12 Provided alwaies, that all leases heretofore made of any the premisses, by the authoritie of the Kings court of Augmentations: And all such leases, feoffements, and woodsales made by the said gouernours or gouernesses or any of them, vnder the couent or common seale of any of them within one yeere next before the dissolution or comming to the king of the said Monasteries or ecclesiastical houses, which said leases, graunts, feoffements, and woodsales, haue bene examined, inrolled, decreed, or affirmed in the kings court of Augmentations. And the decree of the same put in w^{ri}ting, sealed with the seale of the said court, shall be good and effectuell, according to the same decree, any clause in this act &c. notwithstanding. 31. H. 8. 13.

Leases allowed and inrolled in the Court of augmentations.

13 All persons their heires and assignes, which sithence the said iiii. day of Februarie (viz. in An. 27. H. 8.) by licence, pardon, confirmation, release, assent or cōsent of the king vnder his great seale, heretofore giuen or made, or hereafter to be had or made, haue obtained or purchased by indenture, fine, feoffement, recovery, or otherwise of y^e said late Abbots, Priors &c. or other Gouernor or Gouernesses, of any such Monasteries, or other ecclesiastical houses, any Monasteries, Priories, Colleges, hospitals, manors, lands, or other hereditaments, shall haue and enioy the same, according to such w^{ri}tings and assurances as bene thereof before the first day of this Parliament, or hereafter shall bee had or made. Sauing to euery person and persons and bodies polittique, their heires and successors (other then the said late Abbots, Abbelles, and the successors of euery one of them, and such as pretend to be founders, patrons, or donors of the same) their right lawfull the

Assurances to others by the kings licences.

Other mens of right lawfull.

Monasteries, &c.

the said Monasteries, or anie of them, or of any manors, mesuages, or other hereditaments, late belonging to any of them, and the heires and successors of euerie such founder, patron, or donoz,) all such right, title, interest, possessions, rents, &c. and other profits, which anie of them haue, ought, or mought haue had, in or to any the said monasteries, or other hereditaments, at anie time befoze anie such purchase, indentures, fines, feoffements, recoueries &c. 31. H. 8. 13.

All colledges,
chantries &c.
in the dispositi-
on of king H. 8.

14 An. 37. H. 8. 4. It is enacted, that all Colledges, Freechappels, Chauntries, Hospitals, Fraternities, Brotherheads, Guildes, and Pendarie Priests made to haue continuance for euer, and that ought to be contributozie to the paiment of the first fruits and tenthes: And all the mansion houses, manors, lands, tenements, and all other hereditaments, whatsoeuer they be appertaining, or that did appertaine, or were appointed to any such colledge &c. or other the said promotions, or to any of them, or knowen, or taken as parcell or member of anie of them, and to the said Colleges &c. or to any of them vnitied, (which betweene the iiii. of Februarie, An. 27. H. 8. & xxv. Decembz. 37. H. 8.) by reason of any entrie, expulsion, bargaine, sale, feoffement, fine, recouerie, lease, or other conueiance thereof had, or made, be dissolued, relinquished or extincted (other then such of them as now be or were in the possession of the King, or that bene graunted or assured by his licence, consent, letters patents, to anie other persons, or haue bene lawfully recovered by anie person, by anie former right, without fraud or couin, or by the Kings licence) shall from hence forth be adiudged, and also be in the actuall & reall possession of the King and of his heires and successors for euer, in as ample maner, as the said priests, wardens, ministers, gouernors, rulers, or other incumbents or anie of them, or the Patrons, Donors, or founders of them or of anie of them, at anie time litherence the said iiii. day of Febz. 27. H. 8. inioyed or now inioyeth the same, and as though all the said Colledges, chauntries, hospitals, freechappels, fraternities, brotherhoods, guildes, and other the said promotions, and the said manors, lands, tenements, hereditaments and other the premisses, and euery of them, were in this act particularly and certainly named by expresse words. 37. H. 8. 4.

All Colledges,
Chantries &c.
giuen to king
Edward the 6.
4. Nouem-
ber. An. Dom.
1547.

15 All Colledges, Freechappels, and Chauntries, hauing, being, or in Esse, within five peeres next befoze the first daie of this Parliament (being the fourth of Nouember, Anno Dom. 1547.) which were not in actuall and reall possession of the late king H. 8. nor of the king that now is (vz. E. 6.) nor excepted in the said former act of 37. H. 8. other then such as by the Kings commissions shall be transpozted or chaunged, and all manors, lands, & other hereditaments, belonging to them or any of them. And also all manors, lands, and other hereditaments by anie maner of assurance, will, deuise or otherwise suffered, had, made, knowledged or declared, giuen or appointed to the finding of any Priest to haue continuance for

Finding of a
Priest to con-
tinue for euer.

for

for ever, and wherewith or whereby any Priest was maintained or found within v. yerres next befoze the first day of this Parliament, which were not in the actual and reall possession of the said late King, nor of the King that now is. And also all annuall rents and profits, at any time within five yerres next befoze the beginning of this Parliament, imployed, paid or bestowed toward, or for the maintenance or finding of any stipendarie Priest intended by any act or writing to haue continuance for ever, shall immediatly after the feast of Easter next comming (being 1. Aprilis, An. Dom. 1548.) be adiudged and also be in the very actuall and real possession and seisin of the King, his heires and successors for ever, without any office or other inquisition thereof to be had or found, and in as ample manner as the Priests, Wardens, Masters, Ministers, Gouvernozs, Rulers, or other incumbents of them or any of them, at any time within five yerres, next befoze the beginning of this Parliament, had occupied or enioyed, or now hath occupieth or enioyeth the same, and as though all the said Colledges &c. and the said landes, tenements, hereditaments, and other the premises, and euerie of them, were in this Act particularly rehearsed by expresse names: But this act shall not extend to any lands appointed for the finding of any Chauntreie, or stipendarie Priest, which by any former and good title, were lawfully recovered from any such Priest, befoze 1. October 37. H. 8. which lands were not chargeable to the payment of the perpetuall tenth, 1. Ed. 6. 14.

Lands recovered from a priest or Chauntreie.

16 Where any lands, tithes, pencions, porcions, rents, profits, or other hereditamentes, by any assurance, will, deuise, or otherwise, at any time heretofore made, were giuen or appointed for the maintenance or finding of one Priest, or of diuers priests, for terme of certain yerres yet continuing, and that any priest hath bin maintained or found with the same, or with the profits thereof, within v. yerres last past: The King from the said feast of Easter next comming shall haue in euerie behalfe, during all such time to come, euerie such things, tenements, hereditaments, and profits, as the Priest or priests ought or should haue had, for, or toward his or their maintenance, and for no longer time, nor for any other profit thereof to be taken. And as soone as the time assigned for the maintenance of the Priest or priests, shall be expired: then it shall be lawfull to euery person to whom any manors, lands, & other hereditaments, should haue belonged (if the said former act and this act had neuer bin made) to enter into, and enioy the same, without any Liverie, Ouster le maine, Peticion, or other suit to be made to the King, in like manner to all intents, as though the said former act, and this act had neuer bin made, & as though the King had neuer had any seisin or possession thereof. And the King shall haue all such goods, catels, iuels, plate, ornaments, & other moueables, as were or be the common goods of euery such Colledge, Chauntreie, free chappel, or stipendary priest, belonging or annexed to the furniture or seruice of their severall founda-

finding of a Priest for certain yerres.

The goods of Chantries, free Chapels, &c.

The debts of Chantries, free Chappels. tions, the property whereof was not changed before the eight day of December, An. Dom. 1547. And all such debts as should be paid of the goods of any of the said Colledges &c. due by any contract, specialty, or promise, made before the said viii. day, shall be paid by the Treasurer of the Court of Augmentations. 1. Ed. 6. 14.

Anniversaries, obites, lampes, lights. 17 The King, his heires and successors, from the said feast of Easter, shall haue and enioy for euer all lands, tenements, rents, and other hereditaments, which by any maner of assurance, conueyance, willes, wil, deuise or otherwise, at any time heretofore made, suffered, knowledged, or declared, were giuen or appointed to goe, or to be imployed wholly to the finding or maintenance of any anniuersarie or obite, or other like thing, intent or purpose, or of any light or lampe in any church or chappel, to haue continuance for euer, which hath bin kept or maintained within five yeeres next before the first day of this Parliament. But it shall not be lawfull to any person, bodie politike or corporate, by reason of any remainder, vse, or condition, to enter into, or challenge any landes, tenements or hereditaments, for the not doing, not naming or not finding of any priest or priests or poore folkes, obite, anniuersarie, light or lampe, to be founded or done. 1. Ed. 6. 14.

Part of the issues of lands giuen to the finding of obites, &c. 18 Where but one part of the issues or reuenues of any landes, or other hereditaments, hath by any of the waies abouesaid, bin giuen or appointed to be bestowed to the maintenance of any anniuersary, or obite, or other like thing, or of any light or lampe in any Church or chappel, and to haue continuance for euer: Then the King shall from the said feast of Easter for euer, haue and enioy euery such summes of money, that in any one yere, within five yerres next before the first day of this Parliament, hath bin bestowed about the maintenance of any such anniuersarie or obite, or other like thing, or of any light or lampe, to him his heires and successors for euer, as a rent charge to be paid yerely at the feast of Saint Michael the Archangel, and the Annunciation of our Ladie, by even portions. And it shall be lawfull to the king, his heires and successors, for non payment of any such summe of money to distraine in the said landes and tenements of the issues and reuenues, whereof the said anniuersary or obite, or other like thing, or any such light or lampe was maintained. And for lack of sufficient distresse therein, by the space of one moneth next after that any of the said rents should be paid, and be not paid within the said moneth: Then it shall be lawfull to the King, his heires and successors to enter into, and possesse as much of the landes &c. wherof the said rent should be paid, as the rent that should be paid out of the same shall come to in yerely value, and the same &c. to hold and keepe for euer, or for such estate as the King his heires and successors, had, or ought to haue had in the said rent. 1. Ed. 6. 14.

Money giuen to the finding 19 The King, his heires and successors, shall from the said feast of Easter

ster, haue and enioy, all such summes of money, profits and commodities, of a pisset, o-
 which by vertue of any conueyance, composition, will, deuise or otherwise, bite, light,
 heretofore haue bin given or appointed to haue continuance for euer, lampe, by a
 which in any one yere, within five yeeeres next before the beginning of Corporation.
 this Parliament, hath bin bestowed by any Corporations, guildes, fra-
 ternities, companies or fellowships of mysteries, or any of them, or by the
 Masters, Wardens, Gouvernoys, or other Officers, or by the Master &c. of
 any of them, about the maintenance of any Priest, Anniversarie, Obite,
 Lampe or light, or other like thing: To be paid yeerely as a rent charge
 at the feasts of Saint Michaell, and the Annunciation of our Lady, by e-
 uen portions. And it shall be lawfull to the King, his heires and succes-
 soys, for non payment of any such summe of money, profit or commoditie,
 to distraine in all manors, lands, and tenements of euery such crafts, cor-
 porations &c. or any of them, by whom, or by the Wardens, Masters, &c.
 of the which, any such summe of money, profit or commodity haue bin pai-
 ed or imployed. And euery of the said summes of money, profits and com-
 modities, shall from the said feast of Easter, without any inquisition or of-
 fice to be found, be adiudged to be in the actuall and reall possession of the
 king &c. 1. Ed. 6. 14.

20 The King shall from the feast of Easter, haue and enioy to him, his Fraternities,
 heires and successors for euer, all fraternities, Brotherhoods, and guilds, brotherhoods,
 being within any of his dominions, and al manors, landes, tenements, & o- guilds, giuen
 ther hereditaments, belonging to any of them, (other then such corporati- to the king.
 ons, guilds, fraternities, companies and fellowships of misteries or crafts,
 and the manors, lands, tenements, or other hereditaments pertayning
 to them aboue mencioned.) And the same shall be iudged in the actuall and
 real possession of the king, his heires and successors, from the said feast of
 Easter for euer, without any inquisition or office thereof to be found. 1.
 Ed. 6. 14.

21 This Act shall not extende to any Colledge, Hostell, or Hall, be- Colledges, and
 ng within either of the Uniuersities of Cambridge and Oxford, nor to Chauntries
 any Chauntreie founded in any of the Colledges, Hostels, or Halls, being within the uni-
 in the same Uniuersities: Nor to the free chappell of Saint George, sci- uerities.
 uat in the Castell of Windsor: Nor to Saint Marie Colledge of Win-
 chester, besides Winchester, of the foundation of Bishop Wickham: Windsor col-
 Nor to the Colledge of Eaton: Nor to the Chappell in the Sea in New- ledge.
 on, within the Isle of Ely, in the County of Cambridge: Nor to any Winchester
 manors, lands, tenements or hereditaments, to any of them belonging: colledge.
 Nor to any Chappell ordeined for the ease of the people, dwelling distant Eaton colledge
 from the parish Church, or such like Chappell, whereunto no more lands Chappell in
 & tenements, then the Church yard, or a little House or Close doth be- the Sea.
 long: Nor to any Cathedrall Church or Colledge, where a Bishops Sea Chappell of
 is, within England or in Wales: Nor to the lands, tenements or other ease.
 heredi-

Monasteries, &c.

hereditaments, of any of them, other then to such Chauntries, Obytes, lights and lamps, or any of them, as at any time within five yerres, next before the beginning of this Parliament, haue bin had, vsed, or maintained, within any of the said Cathedrall Churches, or the issues, reuenues, or profits of any of the said Cathedrall Churches, to which Chauntries, Obytes, lights, and lambes, this Act shal extend. And the king at any time (during his life) may alter the names of all Chauntries, and the foundations of the same, being in any of the Colledges, Hostels or Halls, of any of the said Uniuersities. And also may giue authorizty to certaine Commissioners, to alter the nature and condition of all Obytes, aswel within the Uniuersities of Oxford and Cambridge, as in any other place within England and Wales, being not suppressed ne annihilated by vertue of this act, And the same Obytes so altered, to dispose to a better vse, as to the reliefe of poore Students, or otherwise. Neither shall this act be preiudiciall to the generall Corporacion of any City, Borough, or towne, within any the kings dominions. Ne shall extend to any the landes or hereditaments of any of them. Neither shall this act preiudice the Lord Cobham &c. concerning the late Colledge of Cobham in Kent, or the landes thereof. Neither shall it extend to the Chauntry or Colledge of Artilborough in Norfolk, which King Hen. 8. gaue to the Earle of Suffex and his heires 1. Ed. 6. 14.

Corporations
of Cities, Bo-
roughs &c.
Cobham.
Artilborough.

Lands wherof
the gouernors
were seised to
their owne vses

22 This Act shall not extend to any landes, or other hereditaments, which the said Masters, Wardens, Ministers, Chauntry Priestes, Incumbents, or other the said Gouernors or Officers of the premisses, haue in fee simple, fee taile generall or speciall, for terme of life, terme of yerres, or otherwise to their owne proper vses, by inheritance or purchase, and not being at any time annexed to their said Colledges, free Chappels, Chauntries, or other the premisses. Nor shall extend to any manors, landes, tenements, possessions, rents, annuities, and peerely pensions, or to any yerely summes of money, being not parcell of any of the said Colledges, and other the premisses heretofore giuen by the said late King, or giuen, or hereafter to be giuen by the king our Soueraigne Lord (viz. Ed. 6.) to any of the said Deanes, Masters, Wardens, Ministers, Chauntry priests, Incumbents, Gouernors, or Rulers, of the premisses, for terme of life onely, vnder his great seale or other seale. 1. Ed. 6. 14.

Pensions, rēts,
summes of mo-
ney giuen by
the king.

Coppyhold
lands.

23 Neither shall this Act extend to any landes, or other hereditaments that any Master, Deane, Prebendary, Warden, or Chauntry, or stipendarie Priest of any Colledge, or other Corporations haue or hold of any person, by copy of Court Roll, or at will, according to the custome of any manor, nor giue any coppyhold lands to the King, but euery of the said persons shall enioy the same during their liues, towards their pension and peerely living, paying their rents and doing their customes and

serui-

seruices thereof due. I. Ed. 6. 14.

24 Sauing to all persons, bodie poliquie and corporate, their heires and successors (other then the Masters, Wardens, Ministers, Gouernors, Rulers, Priestes, Incumbents, Fellowes, and Bretheren of the said Colledges, Chauntries, free Chappels, and other the premisses, giuen to the King by this Act, and the successors of euery of them, and other then such as be, or pretend to be founders, Patrons, or Donors of the premisses, or any of them, and the heires, successors, and assignes of euery of them, and other then such as be or were feoffees, recouerees, conusees, grauntees, or deuisees, of any of the premisses, to, or for any of the vles aboue mencioned, or to the vse of any of the said Colledges, free Chappels, Chauntries, or other the premisses, giuen by this Act to the King or to the intent to imploy the rents or profits thereof, to the vse of the Masters, rulers, incumbents, or ministers of any of them, and other then such as pretend to haue estate, right, title, interest, vse, possession, or condition, of, in, or to the premisses, or any parcel thereof, by reason of any feoffement, fine, bargaine and sale, or by any other means, or conueyance to them made of any estate of inheritance, without the said late Kings licence or agreement, and without the licence or agreement of the king that now is, by any of the said deanes, masters, wardens, gouernors, rulers, priestes, or incumbents, or by the founders, donors, or patrons of any of them) all such right, title, claime, possession, interestes, rents, annuities, commodities, commons, offices, fees, leases, liueries, livings, pensions, portions, debts, duties & other profits, which they or any of the lawfully haue, or of right ought to haue, or might haue had in any of the premisses, or in any parcell thereof, in such like maner to all intents, as if this Act had neuer bin made, and as though the said Chauntries, Colledges, and other the said promotions, had still remained in their full being. And sauing to euery patron, donor, founder or gouernor of any such colledge, chauntie, free chapel, stipendarie priestes, and other the premisses, giuen to the King by this Act, and the donor, feoffor, and giuer of the foresaid lands, tenements, hereditaments to them, or any of them, or to any vles, or purposes before mencioned, al such rents, seruices, rents seck, rents charge, fees, annuities, profits and offices, and also leases for terme of liues and yerres, whereupon the accustomed rent or more is reserued, as they or any of them lawfully had and enioyed, of any the said promotions, or out of any the said lands, tenements, or hereditaments, before the first day of this parliament I. Ed. 6. 14.

Other mens
rights saued.

The founder &
donors right in
some things sa-
ued.

25 As well euery patron, donor, founder, and giuer of any of the said promotions or premisses, or giuer, donor or feoffor, of any their lands or other hereditaments, as euery person which before the making of this act lawfully had any rent or other yerely profits of any Chauntries, Colledges, free Chappels, or other the premisses, or out of any lands or other posses-

All rents re-
serued.

Monasteries, &c.

stons of any of them, shall enioy the same in like maner, as they ought to haue done, if the said Colledges &c. and other the p^remisses had stil continu-
ed in Esse. 1. Ed. 6. 14.

Leases not re-
serving the old
rent.

26 If any of the said Masters, Wardens, Ministers, Rulers, Gouver-
no^rs, Priests, Incumbents, or owners of any such Colledge, Chauntrie,
free Chappel, or of any the p^remisses, giuen to the king by this act, sithēce
23. Nouemb. in 37. H. 8. haue made any lease vnder their common seale, or
otherwise for terme of yeres, life, or liues, of their said Colledges, Chaun-
tries, free Chappels, or of other the p^remisses, or of any lands or heredita-
ments to any of them annered or appertaining, vpon the which leases the
vsuall and old rents and seruices accustomed to be yeelded and reserued, or
more, by the space of xx. yeeres, next before the said 23. day of Nouember,
be not reserued and yelden, the same shall be vtterly void. And all other lea-
ses and graunts heretofore made, of any the p^remisses giuen to the King
by this Act, shall be as good and effectuell in the Law to all intents as if
this act had neuer bin made: this act or any other act &c. notwithstanding
1. Ed. 6. 14.

Other leases
confirmed.

Tenths and
other duties
payable as in
former time.

27 All such tenths, seruices, issues, profits, and other summes of money
payable out of, or for the p^remisses in the Eschequer, shal continue and be
perely paid in the same Court, in the same maner, as heretofore hath bin
vlsed: any law, custome, vnicie of possession in the king, or other thing &c.
notwithstanding, and as though the said p^romotions, lands, and other the
p^remisses, had not come to the kings hands. 1. Ed. 6. 14.

Assurances
made by the
king, or by his
licence.

28 All letters patents made by king H. 8. or by the king that now is,
or hereafter to be made by his Highnes to any person or persons, or to any
Archbishop or Bishop, of any of the said Colledges, Chantries, free Chap-
pel, or other the p^remisses, or any parcell of them, or of any landes, tene-
ments or hereditaments belonging, or that did belong to any of them, and
all fines, gifts, graunts, feoffements, recoueries, and all other assurances
thereof made, by the consent or licence (vnder the great Seale of Eng-
land) of the said late King Hen. 8. or of the King that now is, to any person
or persons, bodies politique or corporate, by any Chauntrie Priest, Ma-
ster, Warden, Minister, Ruler, Gouverno^r, or other hauing any of the said
p^romotions of any of the said Colledges, Chantries, free Chappels, or o-
ther the p^remisses, or of any part of the same, shall stand in their forces,
and shall be good and effectuell in the law for such estates, and interests,
giuen or appointed in any of the giftes or conueyances thereof made,
according to their purpo^rts, forme, and matter, and according to the true
meaning of the same assurances, and shall be good and auailable aswell
against the King, his heires and successo^rs, as against the said Chauntrie
Priests, Wardens, Masters, Rulers, Gouverno^rs, and other hauing any of
the said p^romotions, and their successo^rs, as also against the foundo^rs, do-
no^rs, and patrons of the same, and the Ordinarie of them, and their heires
and

and successors of euery of them: any Law, Statute, &c. notwithstanding. 1.

Ed. 6. 14.

29 All giftes and graunts heretofore made, to the said King Henrie the eight, and to his heires, or to the king that now is, and to his heires, by any Archbishop, Bishop, Deane, Archdeacon, Treasorer, Prebendarie, Master, Prouost, Gouvernor, or other spirituall person, or by any patron, donor or founder, of any of the said Deanries, Chauntries, or other of the said Spirituall promotions, of all or any of the manors, landes, or other hereditaments, or commodities, to any of the said benefices, Offices, Prebendes, or dignities belonging or annexed, or which any of the said Archbishops, Bishoppes, Deanes, Archdeacons, Treasorers, Masters, Prouostes, Prebendaries, Rulers, Gouvernors, or Ministers, Patrons, Founders, or Donors, had, haue, or ought to haue in their right, or by reason of any of the same offices or dignities, shall be good and effectuell in the Law to all intents: Sauing to euery person &c. (other then the Archbishops, Bishops, Deanes, Archdeacons, Treasorers, Prebendaries, Rulers, Gouvernors, Wardens, Prouostes, Ciuers and graunters of any of the premisses, and their heires, successors, and assignes. And other then such Ecclesiasticall persons, bodie politique or corporate, as are, or pretend to be founders, donors, patrons or ordinaries of the premisses,) all such rights, titles, interestes, claimes, entries, rents, remainders, reuerfions, fees, offices, annuities, profits, landes, tenements, and hereditaments, as any of them haue, or should, or ought to haue had, of, in, or to any of the premisses next aboue mencioned, as if this act had not bin made. But this Act shall not extend to make good any gift, graunt, sale, or alienation made by any Parson or Vicar, of their parsonages, or vicarages, or of any parcell thereof, or of any thing to any of them belonging. 1. Ed. 6. 14.

A confirmation of all graunts made to the King.

Other mens rights saued.

Parson, Vicar.

30 All graunts, licences, confirmations, and letters Patents, which King Hen. the viii. or the king that now is, haue made vnder the great Seale of England, to any person or persons, or bodie politique or corporate of any Colledge, Chappell, or Chauntie, now being in Esse or not, or of any lands, tenements, and hereditaments, appertayning to any of them, or of any other thing expresse, contained or mencioned in any such graunt, licence, confirmation, or letters Patents, shall be adiudged good and effectuell in the Law, according to the wordes, sentences, meanings, forme and effect of the same graunts &c. to all intents, as if this act, and the said act made (37. H. 8. had neuer bin made. And this act, and the said Act made 37. Hen. 8. or any Article, sentence, or other thing therein contained, shall not extend to any Colledges, Chappels, Chauntries, or other thinges mencioned in this Act, now being in Esse, or not, or to any landes, tenements, or hereditaments, appertaining to any of them, or to any other thing expresse in this Act, which any person, bodie

A confirmation of letters patents made by king H. 8. and king Ed. 6.

This extendeth not to lands granted by the king.

politique or corporate, haue obtained by the assent, licence, confirmation, graunt, or letters patents of the said late king, or of the king that nowe is: Nor shall extende to any lands, tenements, hereditaments, or other things contained in any such letters patents &c. but euery such person &c. shall haue and enioy the same Colledges &c. lands &c. and euery other thing whatsoever so by them obtained, according to the words and intent of the same licences, confirmations, graunts and letters patents: This act, or the said act made 37. H. 8. or any clause or thing contained in any of the same Acts &c. notwithstanding. 1. Ed. 6. 14.

The lands of
St. Johns, gi-
uen to the king

31 Anno 32. Hen. 8. 24. It was enacted, that the Corporation of the Religion of Saint Johns of Jerusalem in England and Ireland, should be utterly dissolved and void to all intents. And that the king should haue and enioy all Hospitals, and Hospitall Churches, Castels, Honors, Manors, landes, tenements, rentes, reuerfions, seruices, woods, meadowes, pastures, parkes, warrens, liberties, fraunchises, priuiledges, parsonages, tithes, pencions, portions, Knights fees, aduowfions, commaundries, preceptories, contributions, responsions, titles, entries, conditions, couenants, and all other possessions and hereditaments lying within England, Ireland, or other the kings dominions, which appertained to the said Religion, or to the Priors, Pastors, Gouvernors, Knights, or other Ministers professed, of, or in the same, by the pretence, or in the right of the said Religion. And all and singuler goods, cattels, debts, arrerages of rents and farmes, and all other things reall and personall whatsoever they be, whereof or whereunto the said Priors, Bretheren, or Confreeres, or persons professed in the said Religion, can haue, or claime any particular propertie to their owne proper vse, by the rules and Statutes of the said Religion: To haue and to hold to the said King, his heires and successors for ever, to vse and imploy by his discretion at his owne pleasure. And that the said King should be deemed in the actuall and reall possession of the premisses. Sauing to all persons and bodies politique their heires and successors (other then the said Priors, and the Bretheren and Confreeres of euery of them, and the successors of euery of them, and all and euery other person or persons of the said Religion and their successors,) all such right, titles, interest, possession, leases, graunts, annuities, fees, offices, corodies, reuerfions, rents, and seruices, rent charges, commons, rights, tithes, actions, petitions, pencions, portions, and all other hereditaments, which they should or ought to haue had, if this Act had neuer bin made.

Other mens
right laued.

A confirmation
of all Abbeyes,
Chantries, &c.
lands to the
Queene and
other persons.

32 Aswell the Queenes Maiestie, her heires and successors, as also all and euery other person and persons, bodies politique and corporate, their heires, successors, and assignes, now hauing, or that hereafter shall haue any of the Scites of the late Monasteries, or other Religious or Ecclesiasticall houses or places, and the Manors, graunges, meauages, lands, tene-

tenements, tithes, &c. and other possessions and hereditaments of the said late Monasteries, Abbeies, Priories, Nunries, Commaundries, Deanries, Colledges, Prebends, Hospitals, houses of Friars, Rectories, Vicarages, Chauntries, Churches, Chappels, Archbishopricks, Bishopricks, and other Religious and Ecclesiasticall houses, or late belonging or appointed, to, and for the finding of Priests, Obites, lightes, or other like purpose, or any of them, which came to the hands of the late King Hen. the 8. by dissolution, gift, graunt, surrender, attainder, or otherwise, or to the hands of king Ed. the 6. by vertue of the foresaid act made 1. Ed. 6. or otherwise, or to the hands and possessions of other persons &c. by sundry meanes and assurances, shall haue, keepe, and enioy all and euery the said Scites, lands, tenements, and other hereditaments, according to such estates as euery of them nowe haue, or hereafter shall haue in the same by the due course of the Lawes and Statutes of this Realme, now in force. And euery article, clause, sentence and prouiso, contained in aie Act or Acts of Parliament, concerning the assurance of the said Monasteries, Priories, Colledges, Chauntries, &c. and other religious and Ecclesiasticall houses and places, or in any wise concerning any manors, landes, &c. or other things befoze specified to the said king Hen. the viii. or king Edw. the vi. or any other person or persons, or bodie politique or corporate, and euery writing, deede and instrument, concerning the assurance of any of the same, shall remaine in force, and be pleaded and taken aduantage of, to all intentes, as the same might or could haue bin by the Lawes and statutes of this Realme. And all feoffements, fines, surrenders, forfeitures, conueiances, and interests in any wise conueyed or made to king Hen. the eight, or to king Ed. the vi. or either of them, or to any other person, bodie politique or corporat, by deede, or act of Parliament, or otherwise, of any the Scites, Manors, landes, &c. or hereditaments of any of the said Archbishops, Bishops, Monasteries, Priories, &c. or of any manors, landes &c. or any other hereditamentes, of, by, or from any ecclesiasticall person or persons, or by, or from any spirituall or ecclesiasticall Corporation, or bodie politique, shall be good and auailable in the Law to all intents, and shall be pleaded and taken aduantage of. And euery clause and article of Saving contained in euery of the said statutes, shall remaine in such force and effect, as they were befoze the first day of the Parliament holden 1. and 2. P. and M. any thing contained in the Act then made (repealing all Statutes, Articles and Provisions made against the See of Rome since the twentieth yere of King Henry the eight) in any wise notwithstanding. And whosoever shall by proces obtained out of any Ecclesiasticall Court within this Realme, or without, or by pretence of any Spirituall iurisdiction, or otherwise, contrary to the Lawes of this Realme, molest any person or bodie politique, or any of the landes, tenements, hereditaments, or other things aboue

Speci-

Money.

Specified, contrarie to the wordes, sentence, and meaning of this Act, shall incur the danger of the Act of Premunire, made 16. R. 2. and shall suffer and incurre the forfeitures, and paines contained in the same. 1. and 2. P. and M. 8. 1. Eliz. 1.

1 That Religious persons professed, were inabled to inherite, purchase, sue, and to be sued, S. Abilitie 3.

2 That those Abbey lands, which were discharged of tithes, shal so remaine. S. Tythes 40.

3 That all Religious houses shall be within the visitation of the Ordinarie within whose dioces they are situat. S. Ordinarie 3.

4 For the Tenthes reserued vpon Abbey lands, and the remedie for recouerie of them. S. Tenthes.

5 For tenures reserued vpon Abbey lands, S. Tenures 4. 5.

Money.

Giving or receiving for money more then it is currant.

If any person or persons exchange any coyned Gold, coyned Siluer, or money, giving, paying or receiuing any more in value, benefite or advantage for it, then the same is or shal be declared by the Queenes proclamation to be currant for within this Realme, or other her graces dominions: Then the same coyned gold, siluer, and money shall be forfeit to the Q. and J. that will seise or sue for the same, to be recovered by A. B. P. J. &c. wherein no M. E. P. &c. and the partie so offending shall suffer imprisonment by the space of a yere, and also make fine at the Queens pleasure 25. Ed. 3. 12. 5. Ed. 6. 19.

Paying of money to a Merchant alien.

2 If any person inhabiting within this Realme, doth pay, or wittingly deliver by way of exchange, or otherwise, to any Merchant or other person bozne out of the Obeisance, for any marchandize, wares, or in any other wise any peeces of gold coyned in this Realme, or any other Realme, or any plate, vessels, masse, bullion, or Jewell of gold, wrought or unwrought, he shal forfeit the double summe or value of all such mony, gold, plate, &c. to the Queene and J. that will seise or sue for the same, by A. B. &c. after the custome of the citie, port, or towne where it shall happen any forfeiture to fall, or by information in the Eschequer, wherein no P. E. &c. 4. H. 7. 23.

Transporting of gold or siluer

3 Whosoever doth send or carry out of the Realme of England, any Gold or Siluer in money, bullion, plate, or vessel, without the Queenes licence, (saving for his reasonable expences 2. H. 4. 5.) shall forfeit the value of the same so carried forth 9. Ed. 3. 1. 5. R. 2. 2. except ransomes for fines of English prisoners taken beyond the Sea, and the money that Souldiers shall carry with them for their reasonable costes, and money for horses, oxen, sheepe, & other things bought in Scotland, to be brought and carried to the partes adioyning: So that the money to be sent for the fines of the said prisoners, or to be carried by the Souldiers, but not done with

without the Queenes licence 2.H. 6.6. And he which is vpon his passage in any ship or vessel for to goe out of any port, haue or creeke, shall immediately confesse and declare after warning to him giuen by the Queenes searcher, what gold or siluer in come or masse he hath with him for his expences, or els that money so concealed shall be also forf. to the Queene. 2.H. 4.5. S. Customes 9. Marchants 9.

4 No person shall carrie nor conuey, nor cause to bee carried out of this Realme, any bullion, plate, or coine of Gold or Siluer into Ireland, about the summe of vi. s. viii. d. nor conuey any such Bullion, Plate, or coine into any ship, boate, or other vessels, vpon paine of forf. of the said bullion, plate, or coine, and of imprisonment, and fine at the Queenes pleasure. 19.H. 7.5. Money carried into Ireland.

5 No person shall bring or conuey, nor cause to be brought any coine of Gold or Siluer, about the summe of iii. s. iiii. d. of the coine of Ireland into this Realme, vpon paine to forf. all the said Coine about iii. s. iiii. d. and to haue imprisonment, and make fine at the Queenes pleasure. And it is lawfull to any of the Queenes subiects, to seise the Irish money brought into this Realme, and to bring it to the Queenes Mint, and there he shall haue the value of halfe such money deliuered to him, to his owne vse, by the Master of the Mint. 19.H. 7.5. Irish money brought into England.

6 Whosoever in buying and selling, will presume to refuse a halfe penie, or farthing, being of lawfull mettall, and hauing the fourme and fashion which it ought to haue, shall bee taken as a contemner of the Queenes Maiestie, shall be thrust in prison, and set vpon the Pillorie. 12.H. 3. Refusing small money.

1 For the forging, clipping, washing, scaling, or bringing in of any forged Money. S. Treason 1.2.3.4.5.6.

Mortdauncester.

If a man do die, and haue diuers heires, whereof one is sonne or daughter, brother or sister, nephew or nice, and the other be further in degree, all the heires shall haue their recouerie by writ of Mortdauncester. Gloucester. 6.Ed. 1.6.

1 Where dammages shall be recouered in Mortdauncester. S. Dam-mages 12.

2 Mortdauncester for the heire being wrongfully kept or put out of his inheritance by his chiefe Lord. S. Wardes 9.

Mortmaine.

If any Religious person, or other whatsoeuer, will buy or sell any lands or tenements, or will receiue the same by colour of any gift or lease, or by reason of any other title whatsoeuer, or will by other practise, or devise, procure the same to himselfe, whereby such lands or tenements may come into Mortmaine, he shall forf. the same lands. Magna Char. 9.H. 3. 37. 7. Ed. 1. And if any Religious, or other spirituall person doth take Lands purcha- sed in Mort- maine.
the Assurance of lands to vles in Mortmaine.

the profits of any landes, tenements, fees, advowsons, or of any maner of possessions, whereof any other is seised by feoffement, or any other way to his vse, to the intent to amortise the same, he shall forfeit the same according to the forme of the foresaid statute. 15. R. 2. 5.

The chiefe lord
enter vpon ali-
enatio in mort-
maine.

2 It is lawfull for the Queene, or any other chiefe Lord of the fee immediate, to enter into the land so aliened, within a yeere after the alienation, & to hold in fee as his owne inheritance. And if the chiefe Lord be negligent, & will not enter into his fee within the yere, then it is lawfull to the next immediat Lord of the same fee, to enter vpon the same fee within half a yeere then next following, and to hold it as aforesaid. And so euery chiefe Lord immediate may enter vpon the same, if the next immediate Lord be slacke in so doing. And if all the chiefe Lords of such fees being of full age, within the foure Seas, and out of prison, be negligent or slack in their entrie, by the space of a yere and a halfe, the Q. Maiesty may take the same lands or tenements into her handes immediatly after the yeres end that such purchases, gifts or appropriations shalbe made, & shall enfeoffe some other therein, by certaine seruices to be done to her for the defence of the Realme: sauing to the chiefe Lords of the fees their wards, escheates, and other seruices, thereunto due and accustomed. 7. Ed. 1.

The D. entrie

Lands imploy-
ed to a Church,
yard, or giuen
to a Guild.

3 If any Religious person, Vicar or other spiritual parson, do enter into any lands or tenements which be adioyning to his Church, and of the same lands, by sufferance & assent of the tenants, doth make a Churchyard and buriall place for his parish, without the licence of the Queene and the chiefe Lord of the fee, it is Mortmaine, and he is within the compasse of the foresaid statute. And so is it of all lands, tenements, & other possessions purchased to the vse of any Guilds or Fraternities. 15. R. 2. 5.

Lands purcha-
sed to thuse of a
Corporation.

4 If any Mayor, Bailife, and commons of any citie, borough, or towne, which hath a perpetuall Comminaltie, or other which hath an office perpetuall, do purchase to them and their Commons, or to them and their office, or if any other do purchase to their vse, and they thereof take the profits, it is Mortmaine, and they are within the danger of the foresaid statute of 7. Ed. 1. 15. R. 2. 5.

Mortmaine
vpon recovery
by default.

5 If a Religious or ecclesiasticall person do implead any other, and the partie impleaded maketh default, whereby he ought to loose the land, it shall be enquired by the Countrey, whether the demaundant had right in the thing he demanded, or no, and if it be found that the demandant hath right, iudgement shall passe with him; and he shall recover seisin. And if he hath no right, the land shall accrue to the next Lord of the fee, if he demand it within a yeere after the enquest taken. And if he doth not demand it within a yeere, it shall accrue to the next Lord aboue, if he demand it within halfe a yeere, after the same yere. And so euery Lord after the next Lord immediate, shall haue halfe a yeere to demand it successiuelly, untill it come to the Queene, to whom through the default of other Lords

the

the land shall accrue. And after Judgement giuen, the land shal remaine in the Queenes hand, until it be deraigned by the demandant, or some other chiefe Lord. And euery chiefe Lord of the fee shalbe admitted to challenge the Iurozs of the enquest, and euery one that will, may challenge them for the Queene. West. 2. 13. E. 1. 31.

Challenge.

6 All feoffements, fines, recoueries, wils, and other estates and assurances, deuised, couenanted, ordeined or in any wise made of trust, of any manors, lands, tenements or hereditaments to the vse of any parish churches, happels, churchwardens, guilds, fraternities or brotherhoods, erected or made of deuotion, or by common assent of the people without any Corporation, or to the vses and intents to haue obites perpetuall, or a continuall seruice of a Priest for euer, or for 60. or 80. yeres found of the profits of the same lands &c. or that the feoffees, conusees, recouerees or other persons, and their heires thereof seised shall take, leuie or perceiue, or cause or suffer to be taken, leuied or perceiued the issues and profits thereof, & the same to dispose or otherwise imploy, or suffer or cause to be paid, disposed or imployed to any of the foresaid vses, or to any of the like vses: shalbe utterly void, 23. H. 8. 10.

Assurance of lands to churches, &c.

7 But it is lawfull to euery person, being seised of any manors, lands, tenements or hereditaments, to his owne proper vse, or hauing feoffees, recouerees or conusees to his vse, to make, ordaine or deuise, or cause to be made &c. any of the vses, intents or purposes aboue specified, in such maners as they might haue done before the making of this act, so that no such vses &c. be made or appointed to endure by any craft, words, or other meanes, aboue the terme of xx. yeres, next after the first making and beginning of any such vses &c. 23. H. 8. 10.

Assurance of lands to churches, &c. for xx. yeres.

8 If any person or persons in defraud of this Statute, doth binde or ordaine any of their heires or successors, or any other persons, that they shall suffer such vses, intentes or purposes, to continue contrarie to this Statute, vpon paine of losse of any other landes, or of any other thing, or of deuise by any colour, craft or meanes, any thing to make such vses, declared contrary to the meaning of this Act, to continue for any longer time then is aboue limited for the same: Then euery such penaltie, craft, colour, and euery other thing that is made or deuised in defraud of his act, shall be utterly void: for this Statute shall be interpreted as beneficially as may be, to the destruction and utter auoiding of the vses aboue remembred, and of all other like (other then such as are before expressed.) 23. H. 8. 10.

Collateral assurances in defrauding of this Statute.

9 But this act is not preiudicial to the customs of any Citie or towne or port, where by their ancient customs they haue authority to deuise their landes &c. within the same citie or towne into Mortmaine. Neither shall it be preiudiciall to the deuises made by the executors of the wils of R. Hannis, and J. Terrie of the Citie of London &c. 23. H. 8. 10.

Customes in Cities to deuise in Mortmaine.

Mortuaries.

Lands giuen
for the mainte-
nance of houses
of correction, or
of poore people
stockes.

IO But notwithstanding any of the foresaid Statutes, or any other statute, law or custome, it is lawfull for euery person which is seised of any manors, landes, tenements or other hereditaments, in fee simple, in possession, reuerſion or remainder, holden in free socage of the Queene, or any other person or bodie politicke in his owne right, and to his owne vse, for and during the space of twenty yerres (to be accounted from the viii. of Feb. An. Do. 1575.) to make feoffements, graunts, or any other assurances, or by his last will in wryting to giue and bequeath in fee simple, all or any part of the said lands, tenements or hereditaments, to any bodie politique or corporate, and their successors, now erected, or hereafter to be erected, or to any other person or persons and their heires, to and for the prouision, sustentation or maintenance of any of the houses of correction, or abiding houses provided for certaine offenders, or of any stockes or stores for poore people, without any licence of Mortmain therein to be obtained, or any writ of Ad quod damnum, to be sued out for the same. But the rents and seruices due to the Q. and other chiefe Lords of the fee, going out of the same lands, shall be to them saued and reserved. 18. Eliz. 3. 35. Eliz. 7. to continue till the end of the next Parliament now next ensuing. And it shall be lawfull for euery person, for and during the space of xx. yerres next ensuing, (viz. from 1. Aprillis, An. Do. 1593.) to make feoffements, graunts, or any other assurances, or by last will in wryting, to giue and bequeath in fee simple, as well to the vse of the poore, as for the prouision, sustentation or maintenance of any house of correction, or abiding houses, or of any stockes or stores, all or any part of such of his lands, tenements and hereditaments, and in such maner and forme, as he might haue done, to, and for the prouision, sustentation, or maintenance of any houses of correction or abiding houses, or of any stockes or stores by force of the said statute. 35. El. 7.

Mortuaries.

But one Mortuary for any person, & that but in accustomed places.

NO Mortuarie or Corſe present, shall be giuen or demaunded of any person, but onely in such place, where heretofore Mortuaries haue bin vsed to be paid and giuen: Nor any person shall pay Mortuaries in more places then one, that is to say, in the place of his most dwelling, and habitation, and there but one Mortuarie. 21. H. 8. 6.

No Mortuary wher the goods he under x. markes.

2 No Mortuary shall be taken or demaunded of any person whatsoever he be, which at the time of his death hath in moueable goods vnder the value of x. Markes. 21. H. 8. 6.

The dutie for all mortuaries.

3 No Parson, Vicar, Curate, or other spirituall person, nor any of their Farmers, Baylives, or Lessees, shall for any person dying or dead, and being at the time of his death of the valure in moueable goods of tenne Markes or more, aboue his debts paid, and vnder the summe of xxx. li. take for a Mortuary aboue iii. s. iiii. d. in the whole. And for a person being at the time of his death of the value of xxx. li. aboue his debt paid in moueable

ble

ble goods, and vnder the value of xl. li. there shall no more be taken for a Mortuarie then vi. s. viii. d. in the whole. And for a person hauing at the time of his death of the value in moueable goods of xl. li. or aboue, to any summe, aboue his debts paid, there shall no more be taken &c. for a Mortuarie then x. s. in the whole. 21. H. 8. 6.

4 No Parson, Vicar, Curat, &c. or other, shall take, demaund, or aske, any Mortuarie or other thing by way of Mortuarie for any woman being couert Baron, nor for any childe, or any person not keeping house, nor also for any wayfaring man, or other that maketh not residence in the place where they shall happen to die. But the Mortuary of such wayfaring persons shall be answerable (in places where Mortuaries be accustomed to be paid, and in maner, forme, and rate before mentioned, and none otherwise) in the places where such wayfaring persons, at the time of their death, had their most habitation house, and dwelling places, and no where else. 21. H. 8. 6.

These shal pay
no mortuaries.

5 No Mortuaries nor Cozle presents, nor any summe of money or other thing for them, shall be demaunded or had in the parties of Wales, nor in the Marches of the same, nor in the Towne of Berwicke, nor Marches of the same, but onely in such places where Mortuaries haue bin accustomed to be paid: Neither shall any Mortuaries nor Cozle present, nor any thing for them be demaunded or had in those places, but onely after the order & maner aboue specified, & none otherwise, nor of any other person then is aboue limited. But it is lawfull to the Bishops of Bangor, Landaffe, Saint David, and Saint Asse, and likewise to the Archdeacon of Chester, to take such Mortuaries of the Priestes within their Diocesse and Iurisdiccions, as heretofore haue bin accustomed. 21. H. 8. 6.

Mortuaries in
Wales, Ber-
wick, and the
Marches of
them.

6 No person shall be compelled in such places (where Mortuaries haue bin accustomed to be taken, of lesse value then is aforesaid) to pay any other Mortuaries, or more for any mortuarie then hath bin accustomed: Nor any Mortuary shall be demaunded, taken, or had, in such place, of any person or persons exempt by this act, nor contrary to this act. 21. H. 8. 6.

Mortuarie of
lesse value be
custome.

7 If any Parson, Vicar, Curat, or other spirituall person, or their Farmers, Baylives, or Lessees, do take, receiue, or demaunde of any person within this Realme, for any person dying within the same, any Mortuarie or cozle present, or any summe of money, or any other thing for the same, more then is before mencioned, or do conuent, or call any person or persons before any Iudge spirituall for the recoverie of any such Mortuaries or Cozle presents, or any other thing for the same more then is before mencioned, he shall forfait for euery time so demanding, receiuing, taking, conuenting, or calling &c. so much in value, as he shall take aboue the summe before limited, and also xl. s. to the partie griued, contrarie to this act, to be recovered by A. I. &c. wherein no W. &c. E. P. &c. But

The forf. for
demaunding
more then his
dutie.

A legacy giuen
to a spirituall
person.

it

Murder and Manslaughter.

it is lawfull for any spiritual person to take any summe of money, or other thing, which by any person dying shalbe giuen or bequeathed to him, or to the high Altar of the Church. 2 I. H. 8. 6.

1 That where Mortuaries be demaunded in a spiritual Court, the Q. prohibition doth not lie. S. Prohibition 1.

2 That fraudulent deeds to defeat other of their Mortuaries be void, S. Fraudulent deeds 1.

Murder and Manslaughter.

Escape of a
Murderer.

If any person be murdered or slaine in the day, and the murderer escape untaken, the towneship where the said deed is done shall be amerced for the said escape. 3 H. 7. 1.

Murderer ar-
raigned at the
D. suite.

2 If any man be slaine or murdered, and the flears, murderers, abbet- tozs, mainteinors, and comforters of the same be indicted therfore, the same flears and murderers and all other accessaries of the same, shall be ar- raigned and determined of the same felonie and murder at any time at the D. suit, within the yere after the same felony and murder done, and not carry the yere and day for any appeal to be taken for the same felony or murder. 3 H. 7. 1.

Arraignement
of him, which
is acquit at
the D. suit.

3 If any person so named as principal or accessarie, be acquitted of any such murder at the D. suit within the yere and day, then the Justices be- fore whom he is acquitted, shall not suffer him to goe at large, but either shall remitt him againe to prison, or else let him to baile after their discre- tion, till the yere and day be passed. And if the same felons, murderers and accessaries or any of them so arraigned, be acquitted, or the principal of the said felonie, or any of them be attainted: The wife, or next heire to him so slaine as case shall require, may take their appeale of the same death and murder, within the yere and day, after the same felony and mur- der done; against the said person so arraigned and acquite, and all other their accessaries, or against the accessaries of the said principall, or any of them so attainted, or against the said principals so attainted, if they be then living, and the benefit of the Clergie thereof before not had. And the appealant shall haue such aduantages, as if the said acquitall and at- tainder had not bin; the said acquitall or attainder notwithstanding. 3 Hen. 7. 1.

By whom,
within what
time, & before
whom, appeal
of murder shall
be commenced.

4 The wife or heire of the person so slaine or murdered, as case shall re- quire, may commence their appeale in proper person, at any time within the yere after the felony done, before the Sherife and Coroners of the coun- ty where the said felony and murder was done, or before the Queene in her Bench, or Justices of gaole deliuey. 3 H. 7. 1.

Poysoning.

5 All wilfull killing by poysoning of any person, is wilfull Murder of malice prepenced, and the offenders, their aidors, abbettozs, procurozs and counsaillors, shall suffer death, and for as in cases of wilful Murder of ma- lice prepenced. 1 Ed. 6. 12.

6 It shall not be adiudged Murder, where an act is done by misfortune: But Murder shall be intended of them which be feloniously slaine, Marleb. 52. H. 3. 26.

1 That appeal of Murder may be commenced in one Countie, of the death of any person stricken or poysoned in any other Countie. S. Triall 1.

2 The declaration in appeale of Murder, and within what time it shall be sued. S. Appeal 2.

3 Where Murder shall be tried by speciall commission. S. Treason 9.

4 That the killing of the Chauncelour, Treasurer, or any Iudge &c. sitting in his place, is high Treason. S. Treason 1.

5 That it is not lawfull to slay any person attainted in Premunire. S. Premunire 6.

6 That the appellant in appeal of Murder where battaile lieth not, may make an attorney. S. Attorney 5.

7 In what sort Coroners shall inquire of Murder, and attach the offenders. S. Coroners 2. 3. 4.

8 In what case Foresters may slay offenders. S. Forests 4.

Newes.

Who soeuer doth contriue, speake, or tell any false or counterfait newes, whereof discorde, or matter, or cause of discorde or slander may arise betweene the Queene and her Noble men, or people. Or any false newes, lyes, or other such false things of Prelates, Dukes, Earles, Barons, and other Nobles and Peeres of the Realme, or of the Chauncelour, Treasurer, Clerke of the priuie Seale, Steward of the Q. house, Iustices of the one Bench, or of the other, or of any great Officer of the Realme, whereof discorde or slander may rise within the Realme, shall be taken and imprisoned, untill he hath brought forth him which did speake the same. And when he is taken and imprisoned, and cannot find him which spake the words, then he shall be punished by the aduise of the Counsell. West. 1. 3. Ed. 1. 34. 2. R. 2. 5. 12. R. 2. 11. 1. & 2. H. and H. 3. 1. El. 7.

Newes to breed discorde betwixt the Q. & her subiects.

Newes of the Peeres or great Officers of the Realme.

2 Who soeuer shall by preaching, teaching, writing, or open speech norise, that any eating of fish, or forbearing of flesh, mentioned in the statute for those cases provided, is of any necessitie for the sauing of the soule of man, or that it is the seruice of God, otherwise then as other politique Lawes be, shall be punished as spreaders of false newes are, and ought to be. 5. El. 5. 35. El. 7. to continue to the end of the next Parliament now next ensuing.

Newes concerning eating of fish, or forbearing of flesh.

3 If any person or persons, shall aduisedly, and with a malicious intent of his or their owne imagination, speake any false, seditious, & slanderous newes, rumors, sayings, or tales, against our most naturall Soueraigne Ladie the Queenes Maiestie (that now is :) Then all and euery

Slanderous newes against her Maiestie.

such person and persons so offending, being thereof lawfully convicted or attainted, in forme hereafter in this present act expressed, shall for every such first offence either be in some Market place within the Shire, citie, or borough, (where the said words were or shall be so spoken) set openly upon the Pillorie, by the Shirife or his ministers, if it shall fortune to be without any Citie or Towne corporat, and if it shall fortune to be within any Citie or Towne corporat, then by the principall officer or officers of such citie or towne corporat, or his or their ministers, and there to have both his eares cut off, or at the election of the offender, pay two hundred poundes to the Queenes vse, in her receipt of the Exchequer, within two monethes next after the iudgement given of his said offence, and also shall suffer imprisonment by the space of sixe monethes after such his or their conviction, without baile or mainprise. 23. El. 2.

Newes upon
other mens
reports.

4 All and every person and persons, which shall advisedly, and with a malicious intent against our said Soueraigne Ladie, report any false, seditious, and slanderous newes, rumors, or tales, to the slander and defamation of our said Soueraigne Ladie the Queenes Maiestie that now is, of the speaking, or reporting of any other: Then all and every such person or persons so reporting, being thereof convicted and attainted in forme hereafter in this act expressed, shall for every such first offence either be in some Market place within the Shire, Citie, Borough, or Towne, where the said words were, or shall be so reported: set openly upon the Pillorie, by the Shirife or his ministers, if it shall fortune to be without any citie or towne corporat, and if it shall fortune to be within any citie, or towne corporat, then by the principal officer or officers of such citie or towne corporat, or his or their ministers, and there to have one of his eares cut off, or at the election of the offender, pay two hundred Marks to the Queenes vse, in her receipt of the Exchequer, within two monethes next after the iudgement given of his said offence, and also shall suffer imprisonment by the space of three monethes after his or their conviction, without baile or mainprise. 23. El. 2.

The second
slander against
the Q. after
conviction.

5 If any person or persons once lawfully convicted for any of the offences aforesaid, doe after wards esloones offend in any of the offences aforesaid: Then every such second offence shall be deemed & adjudged felony, & the offender & offenders therein, shall suffer such paines of death, & forfeiture, as in case of felony, without any benefit of Clergie or Sanctuary to be allowed unto the offender in that behalfe. 23. El. 2.

Slander of the
Q. by booke,
singing, writing.

6 If any person or persons, either within this Realme, or in any other the Queenes dominions, or in any other place, out of the Queenes dominions, shall advisedly and with a malicious intent against our said Soueraigne Ladie, devise, and write, print, or set forth any manner of booke, rime, ballade, letter, or writing, containing any false, seditious, & slanderous matter, to the defamation of the Q. (that now is) or to the discouraging,

ging, stirring, or moouing of any insurrection or rebellion within this Realme, or any the dominions belonging to the same. Or if any person or persons, either within this Realme, or other the Q. dominions, or in any other place out of the Queenes dominions, shall aduisedly, & with a malicious intent against our said Soueraigne Lady, procure, or cause any such booke, rime, ballade, letter, or writing, to be written, printed, published or set forth, & the said offence not being punishable by the sta. made An. 25. Ed. 3. concerning Treason, or declaration of treason, or by any other statute, whereby any offence is made or declared treason: Then euery such offence shall be deemed & adiudged Felonie, & the offenders therein, being thereof convicted & attainted, shall suffer such paines of death & forfaiture, as in case of felonie is vsed, without any benefit of Clergie or Sanctuarie to be allowed vnto the offender in that behalfe. 23. El. 2.

7 If any person or persons, of what estate, condition, or degree so euer he or they be, at any time during the life of our said Soueraigne Ladie the Queene, (that now is) either within her Dominions, or without, shall by setting or erecting of any figure or figures, or by casting of Natiuities, or by Calculation, or by any Prophecying, Witchcraft, Coniurations, or other like vnlawfull meanes whacloeuver, seeke to know, and shall set forth by expresse words, deedes, or writings, how long her Maiestie shall liue, or continue, or who shall raigne as King or Queene of this Realme of England, after her Highnes decease, or else shall aduisedly, and with a malicious intent against her Highnes, vtter any manner of direct prophecies to any such intent or purpose. Or shall maliciously by any wordes, writing, or printing, wish, will, or desire the death or depriuation of our Soueraigne Ladie the Queene (that now is) or any thing directly to the same effect: Then euery such offence shall be Felonie, and euery offender and offenders therein, and also all his or their ayders, procurers, and abbetters, in, or to the said offences, shall be iudged as Felons, and shall suffer such paines of death and forfaiture, as in case of Felonie is vsed, without any benefit of Clergie or Sanctuarie. And the Peeres of this Realme, and euery of them, that shall hereafter fortune to be indicted of any the offences aforesaid, shall be tried by their Peeres, as before hath bin accustomed in cases of Treason and Felonie. But this Act, or any thing therein contained, nor any Attainder or Attainders of any person or persons, for any offence or offences made Felonie by this Act, shall not in any wise extend, or be adiudged, interpreted, or expounded, to make the offender or offenders to forfait or lose any landes, tenements, or hereditaments, any longer then onely during his owne life, or to make any corruption of blood, to any the heire or heires of any such offender or offenders, or to make the wife of any such offender to lose or forfait her dower, or title of dower, of, or in any landes, tenements, or hereditaments, or her action or interest to the same: any thing

Prophecying
&c. of the Q.
wishing her
death or de-
privation.

Trial of
Peeres.

No corruption
of blood, for
of land, or title
of dower.

In this Act contained, or any Attainder or Attainders hereafter to be had, for any offence or offences made Felonie by this act, to the contrarie notwithstanding. 23. El. 2.

What Justices may heare and determine the foresaid offences.

8 The Justices of the Kings Bench, Justices of Oyer and determiner, Justices of Assises in their severall circuits, and Justices of generall Gaole delivrie, aswell within liberties as without, within the limits of their severall commissions, shall by vertue hereof, have full power and authoritie, to inquire of, and to heare and determine all and every the offences aforesaid. And the partie indicted and arraigned of any the offences aforesaid, shall have advantage of all maner of challenges to the Jurie, as in triall of felonie is used. 23. El. 2.

Trial of offences committed out of the Realme.

9 All offences made Felony by this Act, which hereafter shall be done or committed, by any person or persons, out of this Realme of England, shall be from henceforth inquired of, heard, and determined before the Queenes Justices of her Bench for ples to be holden before her selfe, by good and lawfull men of the same countie where the same bench shall be kept, in like maner and to all intents and purposes, as if the same offences had bin done and committed within the same Countie, where they shall be so inquired of, heard, and determined: any thing to the contrarie notwithstanding. 23. El. 2.

Within what time the offender shall be accused.

10 No person or persons shall be molested or impeached for any of the offences concerning speaking or reporting as is aforesaid, unlesse he or they be thereof accused within one Moneth next after such words so spoken or reported, before some one Justice of peace, & the witnesses therein to be used, named to the same Justice, and the same accusation & witnesses names put in writing by the said Justice, & certified at the next quarter Sessions or gaole delivrie, & unlesse such offender also be indicted within one yeere next after his or their said offence so supposed to be committed or done. And no person or persons shall be hereafter indicted or arraigned for any offence or offences touching or concerning speaking or reporting as aforesaid, unlesse the same offence or offences be proved by the testimonie, deposition, and othes of two sufficient witnesses also at the time of his or their Indictment, which said witnesses also, at the time of the arraignment of the partie so indicted, shall be brought forth in person before the partie so arraigned, face to face, and there shall openly declare all they can say against the said partie so indicted, unlesse the said partie so indicted shall willingly and without violence confesse the same. 23. El. 2.

Testimonie requits for the conviction of any prisoner.

Officers in corporations may imprison, and indict the offenders.

11 Every Mayor or Mayors, Bailife, or other head Officer of Cities, Boroughes, and Townes corporat, which have, or hereafter shall have jurisdiction and authoritie, within their severall limits of their office or offices, to hold and keepe Sessions as Justice or Justices of the peace, shall and may by the authoritie hereof, aswell arrest and commit to ward or bayle, in maner and forme aforesaid, all and every person and persons, being

being vehemently suspected of any the offences aforesaid, as also to inquire of all and euery the offences aforesaid, and to proceed to the inuicting of euery such offendor, without any further proceeding therein: any thing in this act &c. notwithstanding. 23. Eliz. 2.

1 That Iustices of peace shall inquire of the foresaid offences, and commit offendors to warde. S. Iustices of peace 21. 22.

2 What challenge he shall haue which is indicted and arraigned vpon the foresaid statute. S. Challenge 12.

Nisi prius.

The chiefe Iustice of England for the time being, vpon issues ioined, or to be ioined in the Court called the Kings Bench, or in the court of Chauncery: The chiefe Iustice of the common Plees for the time being, vpon issues ioined, or to be ioined in the Court of common Plees: And the chiefe Baron of the Eschequer for the time being, vpon issues ioined, or to be ioined in the Court of Eschequer, or in the absence or default of any of them, two other Judges or Barons of the same seuerall Courts where it shall happen either of the same chiefe Iustices, or the chiefe Baron, for the time being, to be absent, shall or may at their discretions, within Westminster hall in Westminster, or in the place where the Court of Eschequer is commonly kept, in the Countie of Middlesex, as Iustices of Nisi prius for the said Countie of Middlesex, within the terme time, or within fower daies next after the end of euery, or any terme, seuerally trie all maner of issues ioined, or to be ioined in any of the said seuerall Courts, which by the ordinarie course of the Lawes of this Realme, ought to be tried in any of the said Courts, by an Enquest of the said Countie of Middlesex. And commissions and writs of Nisi prius shall be awarded in such cases, and in such forme as they are, or haue bin vsed in any other Shire of this Realme. 18. El. 11.

Trial of issues
ioined in the
Chauncery,
Kings bench,
common place,
& Eschequer,
by Nisi prius in
Westminster
hall.

2 It shall be lawfull for any person or persons, vpon reasonable warning giuen to the aduerse partie, or his or their Atturney, as hath bin accustomed in such like cases, to take or sue forth writs and recordes of Nisi prius, for the triall of the said issues in the said Countie of Middlesex, as they may doe vpon any issue ioined, triable in any other Countie, and thereupon take the Iurie in such maner and forme, and with awarding of Tales & circumstantibus, and awarding the nonsuit, as is vsed for the triall of issues ioined, or nonsuites to be awarded in the said Courts, or any of them, triable within the Citie of London, or within any other Countie of this Realme of England. 18. El. 11.

Nisi prius such
forth.

3 The Shirifes of the said Countie of Middlesex, for the time being, shall make retorne of all writs of Nisi prius, which shall be deliuered to them, or to their, or any of their sufficient deputie for the time being, before the said Judges, Baron, or Barons, and euery of them, and shall giue their attendance vpon the said Iustices, Baron, and Barons, as well

Shirifes at
tendance.

Nisi prius. Nontenure. Nuisance. Office, Inquisition.

for the returning of such Tales as shall be prayed de circumstantibus for the trying of the said Issues, as for the doing and executing of all other thing and things to the office of the Shirefe in such case belonging or appertaining. 18. El. 11.

Jurors,
Parties,
Witnesses.

4 And all persons to be impanelled in such Juries, and the parties to the same issues and suites, and the witnesses for the same, shall be charged and bound, in such and the like sort, and upon the like paines and penalties, for their not appearance and attendance, or for their or any of their misdoemeanor or default, before the said Justices of Nisi prius, as they should have bin, if the same Issue had bin tried in the court, from whence the Nisi prius thereof was awarded: All which severall trials so to be had, before the said severall Justices, Baron or Barons, shall stand, and be as good and availeable in law, as if the same had bin tried in the terme time at the barre in the court where such issue was joined or triable: any law &c. notwithstanding. 18. El. 11.

5 By the Statutes of West. ij. 13. Ed. 1. 30. 27. Ed. 1. 4. 12. Ed. 2. 3. 2. Ed. 3. 17. 4. Ed. 3. 11. 14. Ed. 3. 16. and 7. R. 2. 7. & 15. It was provided, that certaine Enquestes and Juries should be taken in the Countrey before Justices by Nisi prius. And it was also by the same ordained, in what cases Nisi prius is grauntable, before whom, and at what daies, and what things Justices of Nisi prius have power to doe, and inquire of. But although the same Statutes be in force, yet the vse, order, and course by them appointed, is now in diuers respectes altered.

1 That Nisi prius shall be graunted in Attaint. S. Attaint 12.

Nontenure.

B Exception of Nontenure of parcell, no writ shall be abated but for the quantitie of Nontenure which is alleaged. 25. Ed. 3. 16.

1 Exception to a fine that the parties to the same had nothing in the land. S. Fines 8.

Nuisance.

A Writs of Nuisance called Vicountels shall be made at the election of the plaintife, in the nature of old times used, or els in the nature of Assises determinable before the D. Justices of the one Bench or the other, or before Justices of Assise in the Countie &c. 6. B. 2. 3. And a writ shal be graunted against him which hath leuied a house, wall, or market, And if the house, wall, &c. be aliened to an other, the same writ shall be graunted. West. 2. 13. Ed. 24.

Office, Inquisition.

IF any Offices or Inquisitions be found before Eschetoys, Commissioners, or others, containing tenure of the Queene in Capite, intituling her Grace to the wardship or custodie of any lands, tenements, or hereditaments, or intituling her to the same, upon attainders of treason, or felony or otherwise, whereas any other person or persons doe hold the same lands, &c. for terme of yeeres, or by copie of Court rolle, or do enjoy any

Other mens
interests laued
though they
be not found
by office.

rent;

rent, common, office, fee, or other profit appender, of any estate of freehold, for yeeres, or otherwise, out of such lands, &c. specified in such offices, though in such offices such titles, interests, or matters shall be omitted and not found: Yet every lessee, tenant for yeeres, or copyholder, and every such person and persons that haue any interest to any rent, common, or profite appender, for terme of yeeres, life, or otherwise, out of the lands, &c. contained in such office or inquisition, where the *D.* shall be intituled to the same, shall haue, inioy, and perceiue all & euery their leases & interests for terme of yeeres, or by copie of court roll, rents, commons, offices, fees, and profit appender, in such maner & condition, as euery of them should or might haue done, in case there had bin no such office found, and as such lease, interest by copie of court rolle, common, office, fee, or profit appender had bin found in such office. 2. Ed. 6. 8. S. Wardes 17.

2 If a Iurie that shall be swozne before any Escheto^r or Commis-
sioner, to inquire of lands, &c. do not receiue the counterpaine of the office
or inquisition that by them shall be presented, indented & sealed by the Es-
cheto^r or Commissioner, and the same deliuer and suffer to rest in the pos-
session of the first person that shall be swozne in the said Iurie, to the intent
that the Escheto^r or Commissioner may not change or imbezill the said
office, euery of the said Iurie shall forf. xx. s. 1. H. 8. 8. 3. H. 8. 2.

The counter-
paine of an
office shall re-
maine with the
first man of the
Iurie.

3 If the lands & tenements wherof any inquisition is to be had by ver-
tue of any writ or commission, exceed the value of v. li. by the yeere, then
such as sue for such writs or commissions, shall pay for the seale and writ-
ting thereof such fees as haue bin accustomed. And if the lands and tene-
ments whereof any inquisition and office is to be found by vertue of any
writ or commission, exceed not the said peerely value of v. li. Then such
as shall sue for such writ or commissions, shall pay for the seale of euery
of them vi. d. and not aboue. 3. H. 8. 22.

The fees of
writs or com-
missions.

4 If the officer of a court of record where an inquisition of land not ex-
ceeding the peerely value of v. li. shall be returned, being offered vnto him,
within one moneth next after finding thereof, do not receiue the same, he
shall forf. v. li. to the *D.* and *J.* to be rec. by *A. J.* &c. wherein no *T. E.*
P. &c. 3. H. 8. 22.

Receiuing an
office certified.

5 If the Clerke of the petit Bagge of the Chauncerie, or his deputie,
or any Officer of the Eschequer, hauing authoritie to receiue any offices
or inquisitions, to whose handes an office or inquisition shall come, which
ought to be returned into the Chauncerie or Eschequer, will not receiue
the same, and put it on the file to remaine of reco^rde, within thre daies
after it be receiued or offered to him, he shall forf. xl. li. 1. H. 8. 8. 3. H. 8. 2.

An office re-
ceiued within
thre daies.

6 The Clerkes of the petit Bagge in the Chauncerie, shall certifie the
transcript of all offices found and returned into the Chauncery, betweene
Easter and S. Michaell into the Eschequer, in the terme of S. Michaell.
And the transcript of all offices found and returned into the Chauncery,

Transcript
of offices.

Office, Inquisition.

Offices, and Officers.

betwene Michaelmas and Easter, they shall certifie yeerely in the terme of Easter, and otherwise they shall not certifie, and also they shall certifie the transcript of all offices into the Court of Wardes & Liveries, in like maner & forme, as they are bound to doe into the Eschequer. 33. H. 8. 22. Which certificates they shal make in forme aforesaid, vpon paine to forfait for euery default C. s. to the D. and J. to be recovered by Action of debt, wherein no W. & C. P. & C. 1. H. 8. 8. 3. H. 8. 2. 33. H. 8. 22.

Offices in
Lancaster,
Chester,
Duresme.

7 All Inquisitions and Offices found befoze any Eschetor or Commissioners, by vertue of any writs or commission, or otherwise, within the counties Palantines of the Duchie of Lancaster, Chester, and Duresme, or any of them, shall be returned by the said Eschetors and Commissioners, within one moneth next after the taking thereof, into such places and offices, as heretofore they haue bin accustomed to be returned into, vpon paine to forfait for euery default xl. li. to the D. And the Clerke of the Duchie of Lancaster, the Vicechamberlaine of Chester, and the Chauncelloz of the County Palantine of Duresme, or other Officers within the said Counties Palantines, or their deputies, and euery of them, hauing authoritie to receiue any such office or inquisition, to whose hands they same shall come, shall certifie, or cause to be certified vnder his or their hands in Parchment, the true transcript of euery such office or inquisition, taken befoze any of the said Eschetors or Commissioners, vnto the Master of the Court of Wardes and Liveries, in such like maner, as is appointed to the Clerkes of the petit Bagge in the Chauncerie to transcript the same, vpon paine to forfait for euery such default v. li. to the Queene, which transcript shall there remaine of record, in like maner as the transcripts of other offices already certified into the said Court by the Clerkes of the petit Bagge are vsed. 18. El. 12.

1 Where a *Melius inquirendum* shall be awarded vpon an office vncertainly found. S. Tenures 4.

4 For the maner of finding of offices, and returning them. S. Eschetors 2. 4. 7. 9. 10.

3 Where, and in what cases, any person may be allowed to trauesse an office. S. Trauerse 1. 2. 3.

4 That the lands, goods, &c. of any person attainted of Treason shall be in the Queene without office found of the same. S. Treason 14.

Offices, and Officers.

None shall ob-
taine offices by
suit or reward.

The Chaunceloz of England, Treasozer, Keeper of the priuie Seale Steward of the Queenes house, the Queenes Chamberlaine, Master of the Rolles, the Iustices of the one Bench, & the other, Barons of the Exchequer, & all other that shalbe called to ordaine, name, or make Iustices of peace, Shirifs, Eschetors, Customsers, Comptrollers, or any other officers or ministers of the Queenes, shall be swozne, that they shall not ordaine, name, or make, any of the foresaid officers, or any other officer
or mini

or ministers of the Queenes, for anie gift or brocage, fauour or affection. Nor that anie which labourerth by himse lfe or by other priuily or openly, to be in anie office, shalbe put in the same office or in anie other. But they shall make all such officers and ministers of the best and most lawfull and sufficient men to their estimation and knowledge. 12.R.2.2.

2 All Officers made by the Queenes letters patents, within her Courtes, which haue authoritie by vertue of their offices of olde time accustomed, to make or appoint Clerkes and Ministers within the same Courtes, shalbe charged and swozne to appoint and make such Clerkes & ministers, for whom they will answere at their perill, which be sufficient, faithfull, and readie to attend to that which pertaineth to their charge, as well touching the Queenes seruice, as the busines of all the common people. 2.H.6.10. Officers of the
Queenes
Courts.

3 No Customer, Comptroller, Searcher, Wayer, Finder, Aulneger, Gaugeour, collectour of Customes or Subsidies, shall haue anie estate in his office for terme of life, or yeeres, but the said Offices shall remaine in the Queenes hands, vnder the Gouvernance and direction of the Treasorer of England (with the assent of the Councell if neede be.) And no letter patents shalbe made of anie of the said offices, but by warrant and bill assigned by the Treasorer, sent into the Chauncerie. And if anie letters patents shall be made by anie other warrant or bill, they shall be void. 14.R.2.10. 17.R.2.5. 1.H.4.13. 31.H.6.4. Officers re-
mouable.

4 If anie person or persons do bargain or sell anie office or offices, or Deputation of any office or offices, or anie part of anie of them, or re- ceiue, haue, or take, anie money, fee, reward, or anie other profit directly or indirectly, or take any Promise, Couenant, Bonde, Agreement, or anie assurance to receiue or haue anie money for reward, or other profite directly or indirectly, for anie office or offices, or for the deputation of any office or offices, or any part of anie of them, or to the intent that anie person should haue, exercise or enioy anie office or offices, or the deputation of any office, &c. or any part of any of them, which office or offices or any part of them, shall in anie wise touch or concerne the administration or execution of Justice, or the receipt, controlment, or paiment of anie of the Queenes treasure, money, rent, reuenuue, accompt, aulnage, auditourship, or surueying of anie of the Queenes lands, woods, or hereditaments, or anie of the Queenes Customes, or anie administration, or necessarie attendance to be done in anie of the Queenes Custome houses, or the keeping of anie of the Queenes Townes, Castels, or Fortresses, being vled or appointed for a place of strength and defence, or which shall concerne or touch anie Clerkeship to be occupied in any Court of Record, wherein Justice is to be ministred: Then all and euery such person and persons that shall so bargain or sell any of the said office or offices, deputation or deputations, or that shall take any money, fee, reward, or profite for anie Buying & sel-
ling of offices.

Offices and Officers.

of the said office or offices, deputation or deputations, or any part of any of them, or that shall take anie promise, couenant, bande, or assurance, for anie money, reward, or profite to be giuen for anie of the said office or &c. shall loose all his right, interest, and estate, which he shall then haue, of, in, or to anie of the said offices or deputations, or any part of any of them, or of, in, or to the gift or nomination of anie of the said offices or deputations, for which offices or deputations, or any part of any of them, anie such persons shall make any bargaine or sale, or take anie money, fee, reward, or profite, or anie promise, couenant, or assurance, to haue or receiue any fee, reward, money, or profit. And also euery such person that shall giue or pay anie money, fee, or reward, or shall make anie promise, agreement, bonde, or assurance, for anie of the said offices or deputations, or any part of any of them, shall immediately, by and vpon the same fee, money, or reward giuen or paid, or vpon anie such promise, couenant, bond, or agreement had or made, for anie fee, summe of money, or reward to be paid as is aforesaid, be adiudged a disable person in the law to all intents, to haue occupie or enioy the said offices or deputations, or anie part of any of them, for the which such person shal so giue or pay, or make any couenant, bond, or promise &c. to pay anie summe of money, fee, or reward. And all and euery such bargaines, sales, promises, bondes, agreements, couenants, and assurances as be befoze specified, shal be void to and against him and them by whom they shall be had or made. 5. Ed. 6. 16.

Offices where-
into the statute
extendeth not.

5. But this statute extendeth not to any office or offices, whereof anie person or persons is or shall be seised of anie estate of inheritance, nor to anie office of parkership or of the keeping of any house, manor, gardein, parke, chalse or forrest: Neither doth it extend, or is preiudiciall to any of the chiefe Iustices of the Kings bench, or common place, or to any of the Iustices of Assise, But euery of the said Iustices may do in euery behalfe touching any office or offices to be giuen or graunted by them or anie of them, as they or any of them might haue done befoze &c. 5. Ed. 6. 16.

Actes done by
an officer re-
mouable.

6 If anie person or persons doe offend in anie thing contrarie to the tenor, and effect of this Act, yet that notwithstanding, all iudgements giuen, and all other act or actes, executed or done, by any such person or persons, so offending by authoritie, or colour of the office or deputatiō, which ought to be forf. or not occupied, or not enioied by the person so offending, as is aforesaid, after the said offence so by such person committed or done, and befoze such person so offending, for the same offence be remoued from the exercise, administration, and occupation of the said office, or deputacion, shalbe, and remaine good and sufficient in Lawe, to all intents and purposes, in such like manner and fourme as the same shoulde, and ought to haue remained and beene, if this act had neuer beene had or made. 5. Ed. 6. 16.

7 If anie of the officers appointed for the Court of Wardes and līues-
ries,

ries, do conceale or withdraw willingly anie rents, casualties, or other profits, comming to the Queene by the minoztie of anie of her wardes, or by reason of any thing appointed to be within the order of the Court of wardes and liueries: Then they so offending shall lose to the Queene the double value of the thing concealed, or withdrawn. 32.H.8.46. And if the Surueioz or Clerke of the liueries, do willingly withdraw or cōceale anie record, or profit that should grow to the Q. &c. by reason of the same, then he shal loose to the Q. &c. the double value of the thing so concealed or withdrawn, to be leuied and recovered against the offendor, vpon an information made by the partie greened, and the same duely proued in the court of wardes and liueries. 33.H.8.22.

Officer with-
drawing the
Queens rents.

1 Where officers by reason of their offices may exhibit Informations. S. Actions populer. 12.

2 How officers of the Queenes shall be punished, which by colour of their offices do disseise any man. S. Assise. 4.

3 The forf. of officers of the Kings bench, or Common place, for false entries in certaine cases. S. Apparance. 1.

4 Where commissions shall be awarded to enquire of concealement of officers accomptable in the Eschequer. S. Accompt to the Q. 53.

5 That the Queenes officers shall not be vnlawfully retained with any other, nor suffer any of her tenants to be retained. S. Liueries. 7.

Oyle.

The Maior of London with the Masters and Wardens of the mysterie of Tallow Chaundlers of the same Citie, haue authoritie to Search all maner of Oyles brought into the said Citie to be sold, in whose handes so euer they shalbe found, as often as the case shall require, And they shall ouersee that the same Oyles put to sale, be not mixt or altered from their right kindes, but that they be good and lawfull as they ought to be. And it is lawfull for the said Maior, with the said Master and Wardens, to dampne, auoid, and vterly to cast away all such Oyles as they finde defectiue, or falsely, or deceiueably mixed and altered from their right kindes, without let of anie person. And also they may commit such person as shalbe found defectiue by vsing such deceit or craft to ward, and punish them by their discretions, according to the Lawes and customes within the Citie or libertie of London, vled and made for other misdoers. 3.H.8.14.

Searching of
oyle in London.

2 The Maior in euery citie, borough, and towne where a Maior is, or the gouernors or rulers of euery other Citie, Borough &c. for the time being, haue within their iurisdiction, Libertie, and Franchise, like authoritie to make and do like search, order, direction, correction, punishment and execution for the same, of, for, and vpon all oyles being defectiue, or deceiueably, or falsly mixed and altered, by any person within their liberties & franchises, in maner & forme before rehearsed, and as the Maiors, Masters,

Searching of
oyle out of
London.

Masters, and Wardens of the Citie of London haue oꝛ may in London.
 Ec. 3. H. 8. 14.

Ordinarie.

Ordinarie
charged as
executoꝛs.

IF by the death of any dying intestat, which is bound to some other for debt, the goods come to the Ordinarie hands to be disposed, The Ordinarie is bound to answer as farre forth as the goods of the dead will extend, in such sort as executoꝛs should haue bene bound, if the partie had made a will. West. 2. 13. Ed. 1. 19.

Ordinarie in-
dicted of extor-
sion.

2 No Ordinarie, oꝛ any minister of his shall be indicted of extortion oꝛ oppression generally, but it must be declared and put in certaine in the indictment, in what thing, of what, and in what maner the said Ordinaries oꝛ their ministers haue done extortion and oppression, oꝛ otherwise the said Ordinarie &c. shall not be impeached by the Queenes Iustices, for the said indictment. 25. Ed. 3. 9. Stat. pro clero.

Religious
houses within
the visitation of
the Ordinarie.

3 An. 31. H. 8. 13. it was enacted, That such of the late Monasteries, Abbathies, Priories, Nunries, Colledges, Hospitals, houses of Friers, and other religious and ecclesiasticall houses and places, and all churches and chappels to any of them belonging, which befoze the dissolution, suppression, oꝛ comming vnto H. 8. were exempted from the visitation, and all other iurisdiction of the ordinarie, within whose Dioces they were situate, should be within the iurisdiction & visitation of the Ordinaries, within whose Dioces they oꝛ any of them be situat, oꝛ of such persons as by the said King H. 8. should be appointed, any exemption, libertie oꝛ iurisdiction notwithstanding. 31. H. 8. 12.

1 The Ordinaries authoritie and duety, when any question for tithes shall come in debate before him. S. Tithes. 20. 21. 31.

2 That the Ordinarie may suspend him which chideth in a church or churchyard. S. Fighting. 2.

3 The Ordinaries authoritie in punishing the incontinency of ecclesiasticall persons. S. Incontinencie. 1.

4 Where the Ordinarie must giue the patron notice of deprivation vj. moneths before Lapse. S. Ecclesiasticall, &c. 5.

5 That the Ordinarie may visit hospitales within his Dioces, and call the officers to accompt. S. Hospitals. 1.

6 For the Ordinaries duetie in proouing of testaments and graunting administration. S. Probate. &c.

7 That the Ordinarie for a benefice fallen to him by Lapse, may counterpleade the Queenes title. S. Lapse. 2.

8 For the Ordinaries allowance of a Scholemaster. S. Recusants. 2.

Otmeale.

Selling of coꝛ-
rupt Otmeale.

IF any person will take vpon him to sell Otmeale, which is impaired by any crafty meanes, first he shall be grievously punished, and being the second time conuict, he shall lose all his Otmeale, the third time shall be

be adiudged to the Pilorie, and the fourth time hee shall forswear the towne. 51. Ed. 1.

Pardon.

NO charter of Pardon of any felony, robbery, or homicide, shall be graunted to any person, but where the Queene may do it saving her oth taken at her coronation, (viz. where a man killeth another in his owne defence, or by misfortune. 2. Ed. 3. 2.) And if any Charter be otherwise graunted, it shall be void. 4. Ed. 3. 12. 10. Ed. 3. 2. 14. Ed. 3. 15.

Of what offences pardon may be graunted.

2 In euerie Charter of pardon of felony, which shall be graunted to any mans suggestion, the suggestion and the name of him that maketh it, shall be comprised in the same Charter. And if afterward the suggestion be found vntrue, the charter shall be disallowed and accompted nothing worth. And the Iustices befoze whom such charters shall be alledged, shall inquire of the same suggestions, and if they finde them vntrue, they shall disallow the Charters, and further proceede as the law requireth. An. 27. Ed. 3. 2.

The suggestion comprised in the pardon.

3 No Charter of Pardon shall be allowed befoze any Iustice for further, or for the death of a man slaine, by awaite, assault, or malice prepenced, treason, or Rape of a woman, vnesse the same murther, death, treason or rape be specified in the same Charter, And if a Charter of the death of a man be alledged befoze any Iustices, in which it is not specified that he, of whose death any such is arraigned, was murdered or slaine by awaite, assault, or malice prepenced, the same Iustices shall inquire by good Enquest of the visne, where the dead was slaine, if he were murdered or slaine by awaite, assault, or malice prepenced. And if they finde that he was murdered or slaine by awaite &c. the Charter shall be disallowed, and further therein shall be done, as the lawe requireth. 13. R. 2. 1. 6. R. 2. 6.

The offences specified in the pardon.

4 If any man or woman, do desire, or pursue, or cause to be requested or pursued, for any Charter of pardon, for any felon arraigned of felony, further, or rape, which for safegard of his life doth become an approuer, the name of him or her which pursueth such charter, shall be put in y^e charter making mencion that the same charter is graunted at his request and instance. And if he to whom the charter is graunted, after his deliuerance recommetteth a felon againe, the same person which did pursue for his charter, shall forf. to the D. C. li. &c. 5. H. 4. 2.

Pardon of an approuer.

5 If the Queene do graunt to any person any charter of pardon, of any homicide, robbery, or felony, then hee to whom the same is graunted shall come within 3. moneths next after the making of the same, befoze the Sherife and Coroners of the Countie where the felony was done, and shall find vi. good and sufficient Mainpernozs, for whom the said Sherife and Coroners will answer, that he from thenceforth shall beare himselfe well and lawfully, And the mainprieses shall be sealed and returned into the

He that hath a pardon shall find sureties for his good abearing.

the Chauncerie within iii. weekes after the end of the said iii. moneths. And if he which hath such Charter will aide himselfe thereby, and hath not found such mainpries, or after such mainprie found doth beare him otherwise against the peace then he ought, his Charter shall be accompted void and of no force. 10. Ed. 2. 3.

1 What things be requisite to make pardons of vlawrie allowed. S. Exigent. 23.

2 That none haue authority to pardon Felons &c. but the Queene. S. Prerogative. 17.

3 That in a sute commenced against a Sherife or his ministers for not reforming a Iury impanelled, the Queenes pardon shall be no barre. S. Iurors. 8.

Parliament.

Each person shall upon summons come to the parliament.

Every person of the realme which hath summons to come to the Parliament, (which shall be holden once euery yeere, & moze often if neede be. 4. Ed. 3. 13. 36. Ed. 3. 10.) be he Archbishop, Bishop, Duke, Earle, Baron, Baronet, Knight of the shire, Citizen of Citie, Burgesse of Borough, or other singuler person or comminatie, that doth absent himselfe and cometh not at the said summons, (except he can reasonably and honestly excuse himselfe to the Q. Maestie.) shall be amerced, and otherwise punished according as hath bene vied. 5. R. 2. 4.

No man shall depart from the parliament without licence.

2 No Knight, Citizen, Burgesse, or Baron, that shall be elected to come or be in any Parliament, shall depart from the same Parliament, nor absent himselfe from the same, untill the same Parliament bee fully finished, ended, or proroged, (except he haue licence of the speaker, & commons in the said Parliament assembled, and the same licence be entred of record in the booke of the Clerke of the Parliament appointed for the common house) upon paine to lose all those summes of money which he ought to haue had for his wages. And all the Counties, Cities, and Boroughes, whereof any such person shall be elected, & the inhabitants of the same, shall be cleerely discharged of the said wages, against the said person and his executors for euer. 6. H. 8. 16.

Returne of the writs for the Parliament.

3 If any shirife of the realme be negligent in making his returne of writs, of the Parliament, or leaue out of the said returnes any Cities, or Boroughes, which be bound, or of old times were wont to come to the Parliament, he shall be punished in such sort, as it hath bene vied &c. 5. R. 2. Stat. 2. 4.

The maner of the election of the knights for the parliament.

4 At the next Countie holden after the deliuerie of the Q. writte, for the election of the Knights of the Parliament, proclamation shall be made in the full Countie, of the day and place of the Parliament, and that all they which be there present, as well sucors summoned for the same cause, as other, shall attend to the election of their Knights for the Parliament, and then in the full Countie they shall proceede to the election freely and indifferently

indifferently (notwithstanding any prayer or commaundement to the contrary. 7.H.4.15.) which election shall be made by the sherife in due and convenient time. (That is to say, every sherife in his full countie shall make the same betweene the houre of viii. and the houre of ix. in the forenoone, without collusion.) And the knightes of the shires within England, shall be chosen by men dwelling & resident within the same Counties, whereof every one hath free lands or tenements, to the value of xl. s. by the yeere at the least, above all charges, within the same Countie, where any such person wil meddle in the election. And they which shall be chosen, shall be also remaining & dwelling within the same counties the day of the date of the writ for summons of the Parliament. And they which have the greater number of those which may dispend xl. s. or above (be they absent or present) shall be returned by the Sherife of every countie, knights for the Parliament, by indenture insealed, made betwixt the said Sherife, & the aid choosers, and the indenture shall be filed to y^e Parliament writ, which indenture so sealed and filed, shall be the return of the same writ. And every Sherife within the realme of England, hath authority to examin by oth, upon the holy Euangelists every such Elector, how much he may dispend y^e yeere (for he that can not dispend xl. s. by yeere, shall not in any maner be a chooser of the knightes of the Parliament.) And if any sherife returne knightes for the Parliament contrary to this statute, or doth not make his lectio within y^e foresaid time: the Iustices of assise in their sessions haue power to enquire therof, and if by enquest it be found before the same Iustices, & the Sherife thereof attainted, he shall for f. to the M. C. li. and also be imprisoned a yeere, without being let to baile or mainprize. And moreover he shall for f. and pay to every person chosen knight for the shire, and not duly returned C. li. wherof every knight so grieved shall haue his action of debt against the said Sherife, his executors or administrators, to demand & haue the said C. li. with his costs in that case dispended, wherein he shall sue. And also the knights for the Parliament returned in contrary maner shall lose their wages. 7.H.4.15. 11.H.4.1.1.H.5.1.8.H.6.7.10. 12.H.6.2.23.H.6.15. But the Sherifs which shall make such elections, shall haue their answer, & traaverse to such Enquests; and Offices found before the Iustices of assise. And neither the Sherifs nor the Knights supposed to be unduely returned, shall incurre any damage to the Queene, untill they be duely convicted, according to the course of the law. 6.H.6.4.

The Sherifs
forfaiture.

5 Every Sherife after the deliuerie of the Queenes writte for the Parliament, shall make & deliuer without fraud, a sufficient precept under his Seale to every Bailor and Bailife, or to Bailifes or Bailife, where the Bailor is, of the Cities and Boroughes within his countie, reciting the same writ, commaunding them by the same precept (if it be a Citie) to choose by Citizens of the same Citie, and in the same maner, if it be a borough, by the Burgesses of the same, to come to the Parliament. And the

Election of
Burgesses.

the same Maioꝝ and Bailife oꝝ Bailifes &c. shal retorne lawfully the precept, to the same Sherife, by indenture betwixt the same Sherife, & them of the said election, and of the names of the Citizens and Burgesles by them so chosen, and therevpon euery Sherife shal make a good and rightfull retorne of euery such writ, & of euery retorne of the Maioꝝ, oꝝ Bailifes &c. to him made. And euery Sherife at euery time that he doth contrarie to this statute, oꝝ any other statutes foꝝ the election of Knights, Citizens, and Burgesles, to come to any Parliament (made befoze the xxv. day of Febzuarie, An. Do. 1444. and 23. H. 6.) shal foꝝf. to the Queene C. li. and be one yeere imprisoned without baile oꝝ mainprise, and moꝝcouer shal foꝝf. and pay to euery person chosen knight, citizen, oꝝ burgesse in his Countie to come to the parliament, and not duely returned C. li. whereof euery knight, citizen, oꝝ burgesse, so griened, seuerally shall haue his action of debt, against the said sherife, oꝝ his executoꝝs oꝝ administrators, to demand and haue the said C. li. with his costs in that case expended, where in no T. E. &c. 23. H. 6. 15.

Other Burgesles returned then which be chosen.

6 At euery time that any Maioꝝ, and Bailifs, oꝝ bailife oꝝ bailifs where no Maioꝝ is, shall retorne other persons then those which be chosen by the Citizens and Burgesles of the Cities oꝝ Boroughs wher such elections shall be made, they shall foꝝf. to the Q. xl. li. and also the shall foꝝf. and pay to euery person, chosen citizen, oꝝ Burgesse foꝝ the parliament, and not by the said Maioꝝ &c. oꝝ Bailifs, &c. returned xl. li. whereof euery of the Citizens oꝝ Burgesles so griened, seuerally shall haue his action of debt against the said Maioꝝ, and Bailifs, oꝝ Bailife, oꝝ Bailifs where no Maioꝝ is, against their executoꝝs, oꝝ administrators, to demand and haue xl. li. with his costs in that case expended, wherein no T. E. &c. 23. H. 6. 15.

A knight oꝝ burgesse put out & another put in his place.

7 If any Knight, Citizen, oꝝ Burgesse, returned by the Shirife come to the Parliament in forme aforesaid, be after such retorne by any person put out, and another put in his place, such person put in the place in him which is so put out, if he take vpon him to be a Knight, Citizen, Burgesse at any Parliament, shall foꝝf. to the Queene C. li. and also C. li. to the knight, citizen, oꝝ burgesse so returned by the Sherife, and afterwards put out, foꝝ the which C. li. the knight, citizen oꝝ burgesse put out shall haue his action of debt against such person put in his place, his executoꝝs oꝝ administrators. 23. H. 6. 15.

Within what time the suit shall be commenced.

8 But the said Knight, Citizen oꝝ Burgesse put out, and euery other person befoze named, which shall oꝝ may haue any action of debt against any sherife, maioꝝ, bailife, bailifs, &c. foꝝ to demand C. li. oꝝ xl. li. by foꝝ of any branch oꝝ clause befoze rehearsed, shall begin his action of debt within thzee monethes after the same parliament commenced, & proceed in the same suit effectually without fraud. And if he do not so, any other that will sue shall haue the said action of debt, to haue and recouer the same

summe, with his costes in that behalfe dispended, in maner and forme aforesaid, where in no T. E. &c. 23. H. 6. 15.

9 The knights of the shires chosen for the parliament, shall be worthy and notable knights of the same shires, for which they be chosen, or otherwise such notable Esquires, Gentlemen borne of the same Counties, as shall be able to be knights. And no man shall be such a knight which standeth in the degree of a yeoman, or under. 23. H. 6. 15. And the Citizens and Burghesses of cities and boroughes shall be chosen of men which be Citizens and Burghesses, resident, dwelling, and enfranchised in the same cities and boroughes, and in none other maner. 1. H. 5. 1.

Who shall be knights for the parliament.

Citizens and Burghesses.

10 The Queenes roiall assent, by her letters Patents vnder her great seale, and assigned with her hand, and declared & notified in her absence, to the Lords spirituall and temporall, and to the Commons assembled together in the high house, is, and euer was, and shall be of as good strength and force, as though the Queenes person had bin there personally present, and had assented openly and publicquely to the same. 33. H. 8. 21.

The Queenes assent.

11 If any Lord, or other spirituall man, or temporall, haue purchased any landes, tenements, or possessions that were wont befoze the said purchase to be contributorie to the expences of the knights comming to the Parliament, the said landes, tenements, and possessions, and the tenants of the same shall be contributorie to the said expences, as the said landes &c. were wont to be, befoze the time of the same purchase. 12. R. 2. 12.

Lands contributorie to the knights wages

12 The Shirife of euery Countie for the time being, in the next Countie Court holden in their Counties, after the deliuerance of the Queenes writs to them, De solutione feodi Militis parliamenti, shall make open proclamation, that the Coroners, and euery chiefe Constable of Peace of the said Counties, and the Bailifes of euery hundred or wapentake of the same Countie, and all other which will be at the assessing of the wages of the knights of the Shires, shall be at the next Countie there to be holden, to assesse the said wages of the said knightes. And the Shirife, Undershirife, Coroners, or Bailifes for the time being, shall be there at the same time in their proper person, vpon paine of forfaiture to the D. of euery of them that maketh default xl. s. At which time the said Shirife or Undershirife, in the presence of them that shall come to the same, and of the iutors of the said Counties then being there in the full Countie, well and duely shall assesse euery hundred to that assessable, by it selfe, to pay a certaine summe for wages of the knights of the Shire, so that the whole summe of all the hundreds do not exceed the summe which shall be due to the said knights, and after that, in the same Countie, shall assesse euery village within the said hundreds, which shall be there assessable, to a certaine summe for the payment of the said wages, so that the whole summe of all the Townes, within any of the said hundreds do not exceed the summe assessed vpon the hundred of which they be. And the said

The order of leuying knights wages.

Shirifes, Undershirifes, Bailifes, nor no other officer, for the cause aforesaid, shall leuie moze money of any Village, then that whereunto they were assessed. And if any doe, or will aslesse any hundred or village otherwise then is aforesaid, they shall for. for euery default to the D. rr. li. and to any man that will sue in this case x. li. And the said Shirifes well and duely shall leuie the money so assessed vpon the foresaid villages, as soone as they well may, after the said assessing, and the same shall deliuer to the said Knights, according to the writs thereof, vpon the aforesaid paines, &c. and he that will sue in this case shall be thereunto admitted, and shall haue a Scire facias against him that offendeth against this statute. And if the defendant duely warned in the same, make default, or else appeare, and be in the same conuict, then the plaintifes shal recouer against them which be so conuict x. li. to their owne vse, besides the said xx. li. with their treble damages, for the costes of their suites. 23. H. 6. 11.

Delates of
iudgement in
other courts
redressed in
Parliament.

13 At euery Parliament shall be chosen a Prelate, two Earles, and two Barons, which shall haue commission from the Queene, to heare by petition deliuered vnto them, the complaints of those, that will complaine of delaies of iudgements in the Chauncerie, Kings Bench, Common Place, and Exchequer, and befoze other Iustices assigned to heare & determine: which delaies happen sometime by difficultie, and sometime by diuersitie of opinions of the Iudges, and sometime for other causes. Which Prelate, Earles, and Barons, shall haue power to cause to come befoze them, the tenor of the Recordes and Proses of such iudgements so delaied, and to cause the same Iustices to come befoze them, to heare their cause and reason of such delaies. Which cause and reason so heard, by good aduise of themselves, the Chancelor, Treasorer, Iustices of the one Bench, and the other, and other of the Queenes Councell (as many and such, as shall seeme conuenient) shall proceed to take a good Record, and make a good Iudgement. And according to the same Record so taken, the tenour of the same Record, together with the iudgement which shall be accorded, shall be remaunded befoze the Iustices, befoze whom the plea did depend. And they shall giue iudgement according to the same Record. And if difficultie seeme to them, to be so great that it may not wel be determined without assent of the Parliament: The said tenour, or tenours shall be brought by the said Prelate, Earles, and Barons, into the next Parliament. And there shall a finall accord be made, what iudgement ought to be giuen in this case. And according to that accord, commaundemēt shal be giuen to the Iudges befoze whom the plea did depend, that they shall proceed to iudgement without delay. 14. Ed. 3. 5.

1 How they shall be punished which do assault any Lord, Knight, or Burgesse of the Parliaments, or any of their seruants. S. Fighting 5.

2 In what sort he shall be vsed which entreth into the Parliament house, without taking the oath for the assurance of the Queenes power ouer

ouer all estates. S. Queene 5.

3 For the Knights and Burgesles of Parliament, to be chosen in euery Shire, Citie, and Towne corporat in Wales, and for their wages. S. Wales 116. 117. 118. 119. 120. 121.

4 That there shall be two Knights for the Countie, and two Citizens for the Citie of Chester for euery Parliament. S. Chester 2.

5 That they which come to the Conuocation, shall haue such liberties as they which come to the parliament. S. Conuocation 1.

6 That no Appeals shall be sued in the Parliament. S. Appeal 1.

Partition, Parceners.

IF an inheritance which is holden of the Queene in Capite, doe descend to diuers Coparceners, then all the heires shall doe homage to the Q. and the inheritance which is holden of the Queene shall be so deuided amongst the heires, that euery of them from thenceforth shall hold her part of the Queene. Prerog. Regis. 17. Ed. 2. 5. And if they be within age, the Queene shall haue the Wardship and Marriage of euery one of them, and so shall euery other Lord of whom they hold their landes. Stat. Hibernie.

Partition of
lands holden
in Capite.

2 All iointenants and tenants in common of any estate, or estates of inheritance, in their owne rightes, or in the rightes of their wiues, of any manors, landes, tenements, or hereditaments within England, Wales, or the Marches of the same, shall and may be compelled to make partition betweene them, of all such manors, landes, tenements, and hereditaments, as they hold as iointenants or tenants in common, by writ De particione facienda, in like maner, as Coparceners by the common Lawes haue bin and are compelable to do, and the same writ shall be pursued at the common Law. 31. H. 8. 1.

Jointenants &
tenants in com-
mon, may be
compelled to
make partition

3 But euery of the said iointenants, or tenants in common and their heires after such partition made, shall and may haue aide of the other, or of their heires, to the intent to deraigne the warrantie paramount, and to recouer for the rate, as is vsed betweene parceners after partition by order of the common Law. 31. H. 8. 1.

Aide after
partition.

4 All iointenants, and tenants in common, and euery of them, which hold iointly, or in common for terme of life, yeere, or yeeres, or ioint-
tenants, or tenants in common, where one or some of them haue estate, or
states for terme of life, or yeeres, with the other that haue estate or estates
of inheritance or freehold, in any manors, landes, tenements, or heredita-
ments, shall & may be compelable by writ of Partition, to be pursued out
of the Chaucerie, vpon his or their case, to make seuerance and partition
of all such landes, &c. which they hold iointly or in common, for terme of
life or liues, yeere or yeeres, where one or some of them hold iointly or in
common for terme of life, or yeeres, with other, or that haue an estate or
states of inheritance or freehold. 32. H. 8. 32.

Jointenants for
life or yeeres.

Particion pre-
iudicial to none
but which be
parties there-
unto.

5 But no such partition to be made by force of this statute shall be pre-
iudicial to any persons, their heires and successors, other then such which
be parties to the said partition, their executors or assignes. 3 2. H. 8. 3 2.

1 How much the vsurpation of a Coparcener vpon his coheire, shall
preiudice him in his presentation. S. Aduowson 6.

2 In what maner, and betwixt whom partition shall be made of lands
in Gauekind in Kent. S. Prerogatiue 1 6.

Pattens, and Pattenmakers.

Pattens of
Aspe.

IF any Patten maker within this Realme, doth make Pattens or
Clogges of such part of Aspe tymber, which is able and sufficient to be
made in shaftes, he shall forfeit to the Q. and A. for euery time xl.s. But
it is lawfull to the Patten makers of this Realme, to make Pattens of
such tymber of Aspe, that is not apt, sufficient, or conuenient to be made
in shaftes. 4. Ed. 4. 9. 4. H. 5. 3.

Patents.

Letters patēts
shall beare the
date of the deli-
uery of the war-
rant.

The day of the deliuerie of euery warrant sent by the Queene, or her
heires, to the Chaunceloz of England, shall be entred of record in the
Chauncerie. And the Chaunceloz shall cause letters Patents to be made
vpon the same warrant, bearing date the day of the said deliuerie in the
Chauncerie, and not befoze. And if any letters Patents be made to the
contrarie, they shall be void. 1 8. H. 6. 1.

Patents of
lands, &c. gran-
ted to others
during plea-
sure.

2 If any person do make suit to the Q. for any landes, tenements,
offices, or any other things, by her Grace graunted, or to be graunted to
any person during her pleasure, the first patentee then being in life, he
shall expresse in the said bill of petition or patent, the tenor of the said for-
mer patent, and that the Queene hath determined her pleasure against the
said first patentee, or else the said second letters patents of any of the pre-
misses to any person to be graunted, shall be void. 6. H. 8. 1 5.

A confirmation
of the letters
Patents of Q.
Elizabeth.

1 3 Aswell all and singuler letters Patents, Indentures, and other
Writings, sealed vnder the great Seale of England, or vnder the Seale
of the Duchie of Lancaster, or the seale of the countie Palantine of Lan-
caster, and heretofore made or graunted by our soueraigne Lady Queene
Elizabeth, sitheence 1 8. Nouember, Anno 1. of her raigne, for any summes
of money, or for any other considerations, As all other letters Patents
hereafter to be made by our said Soueraigne Ladie, for any summe of mo-
ney, or other considerations, during seauen yeeres next insuing the ma-
king of this Act, being 1 5. die Martij, An. Dñi 1 575. to any bodie poli-
tique or corporat, or to any other person or persons whatsoever, of any
Honours, Castels, manors, lordships, granges, meases, lands, tenements,
meadowes, pastures, rents, reuerfions, seruices, woods, aduowsons, nomi-
nations, patronages, annuities, rights, interests, entries, conditions,
leetes, courtes, liberties, priuiledges, franchises, or any other heredita-
ments, with their appurtenances, or of any part or parcell of them, sealed
with

with or vnder the great Seale of England, or vnder the Seale of the Duchie of Lancaster, or the seale of the Countie Palantine of Lancaster, of whatsoeuer kind, nature, or qualitie, they or any of them be, or shall be reputed, knowen, or taken, with their appurtenances, or any part or parcell of them, shall be good, perfect, and effectuell in the law, and shall stand, be taken, and adiudged good, perfect, and effectuell in the law against the Queene her heires, and successors, according to the tenor and effect of the said Letters patents, the same to be expounded & iudged most beneficiall to the Patentees & grauntees of the same, and their assignes, according vnto the wordes, and purport of euery of the said letters Patents, without any confirmation, licence, or tolleration of the Queene, her heires, or successors, any misnaming, misrecital, or non recital of any the same honours, castels, manors, lands, tenements, and other the premisses, or any parcell thereof: Or any lacke of finding of offices, or inquisitions, of, and in the premisses, or any part thereof, where by the title of the Q. therein ought to haue bin found, before the making of the same letters Patents, or other writings. Or any misrecital, or non recital of Leases thereof before made, aswell of record, as not of record. Or any lacke of the certaintie, miscasting, rating, or setting forth of the peereley value and rate of the premisses, or of the peereley rents reserued, of, and for the premisses, or any parcell thereof, mencioned or contained in any of the said letters Patents, or other writings, or for that the premisses be, or any part thereof is valued to a more or lesse value in the said letters Patents, or writings, then the said landes, and other the premisses then were, or shall be in the peereley value. Or any misnaming, or not true naming of the Townes, Hamlets, Parishes, or Counties, where the same lands, tenements, rents, hereditaments, and other the premisses, and euery parcell, or any parcell thereof lyen or been. Or any lacke of the true naming of the landes, tenements, or hereditaments, or of the natures, kindes, sortes, qualities, or quantities of the said possessions, or hereditaments, or any parcell thereof. Or any lacke of the true naming of the corporation. Or any lacke of the atturment, liuerie, or seisin. Or of any misnaming of any the late tenants, or fermors of the same honours, manours, landes, tenements, and hereditaments, or any part thereof, so sold, graunted, or giuen, notwithstanding. 18. El. 2.

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4 All and singuler such Patentees, Grauntees, and Donees, and euery of them, which at any time heretofore sithence the said 18. day of Nouember, in the 1. yeere of the Q. raigne, haue obtained of our Soueraigne, Lady the Queene, at any time after the Session of parliament ended (rb. Mar. Anno Dñi 1575.) during the space of vii. yeeres, shall obtaine of her Maiestie by way of exchange, or for any summe of money or other considerations, any Letters patents, of any manours, lands,

The answer
for the over-
plus of lands
graunted by
the Q. patent.

tenements, or hereditaments, which at the date and making of the said Letters patents were or shall be at the time of making such letters patents, of better and more peereley value to the Queene, and so answered in peereley rent and ferme, then was, is, or shall be contained and specified in any such Letters patents, or in the particulars or rate thereof, made, or to be made by any Auditor, Surueior, and other officer: Then euery such Patentee, Graunttee, or Donee, their heires, executors, or assignes, and euery of them within one yeere next after office, or other due prooffe, order and decree thereof to be made within x. yeeres next after xv. of March, An. Do. 1575. in the Eschequer, shall pay vnto the Queene, her heires and successors, for the same ouerplus of the same landes, &c. so sold, giuen, graunted, or exchanged, after the rate of lx. yeeres purchase, and according to such peereley value and rate, as the same landes, tenements, and other hereditaments were, and answered at the time of the making of any such Letters patents so made, or to be made, in maner and forme aforesaid: any thing contained in any such Letters patents &c. notwithstanding. 18. El. 2.

lx. yeeres
purchase.

Patentees or
grantees wher-
unto this sta-
tute extendeth
not.

Patentees of
lands whercof
a trauesse is
tendered.

Patents of
offices.

Patents of
concealed
land.

Other mens
rights saved.

5 But this Act shall not extend to confirme or make good any lease, or leases, made, or to be made by the Queene, for terme of life, liues, or for yeeres, whereupon the old and accustomed rents or more be not, or hereafter shall not be reserved, and peereley payable during the terme of euery such Lease: Nor this Act shall extend to reuine or make good any Letters patents, made of any office or offices to any Comptroller, Customer, Aulneger, Searcher: Nor to any Letters patents of the graunt of any other office or offices heretofore made by the Q. which now be, or at any time heretofore haue bin determined, or made void by iudgement, by authozitie of Parliament, or by decree: Nor to any Patents to be made to any person for terme of yeeres, or during the minoritie of any heire, of any manours, lands, or tenements, whereof any trauesse shall be tendered, within thzee monethes after any office found, and certified vnto any the Queenes courts of recozd: Ne to make good any Letters patents made by our said Soueraigne Ladie of any office to be of any other effect then the same Letters patents were or should haue bin, before the making of this act: Neither shall it extend to any Letters patents, which at any time heretofore, sithence the beginning of the Queenes raigne hath bin, or hereafter shall be made by the Queene to any person of any manors, lands, tenements, rents, reuerfions, seruices, or other hereditaments, by force of any information, suit, or suggestion, made, or to be made to her Highnesse, that the same landes &c. so contained in any such Letters patents, were concealed landes. But the same Letters patents, and euery of them, shall remaine and be in the same force and effect, as they were before the making of this Act. 18. El. 2.

6 Sauing to all other persons, and bodies politique and corporate, their

their heires and successors and euery of them, all such right, title, interest, possession, estate, leases, rents, seruices, commons, and all other profits and commodities whatsoever, as they or any of them should or might haue had before the Letters patents thereof made, if this Act had neuer bin made. 18. El. 2.

7 All feoffements, fines, surrenders, assurances, conuicances, & estates had or made, to or for our Soueraigne Lady Queene Elizabeth, sithence 18. Nouember, An. 1. of her raigne, or to be made at any time during vii. yeeres (next after the end of this Parliament being 15. die Martij, An. Dñi 1575.) by any person or persons, bodie politique or corporat, of any castels, manors, landes, tenements, rents, & other hereditaments, for any debt, summe of money, or other consideration whatsoever, shall be good and auailable in the law, to all intents, according to the true meaning of the same: Sauing to all and euery person and persons, and their heires, bodies politique & corporat, and their successors (other then such person and persons, their heires, and wiues, being parties or priuies to such conuicances, &c. bodies politique and corporat, and their successors &c. of whom the Queene hath obtained or purchased, or shall obtaine or purchase during the said vii. yeeres, any lands, &c. by exchange, gift, bargain, or otherwise) all such right, title, interest, vse, possessions, rents, reuerfions, remainders, offices, fees, commons, profits, and commodities whatsoever, which they or any of them haue, might, or ought to haue had, of, in, or to the premisses, or any part thereof, in as ample maner, to all intents, as if this Act had neuer bin made. 18. Eliz. 2.

A confirmation of all assurances made to the Q.

Other mens right saved.

8 An. 34. & 35. H. 8. 21. The like statute was made, confirming all Letters patents, Indentures, and other writings, made, or graunted to any person or persons &c. by the said King, vnder the great seale of England, the seale of the Duchie of Lancaster, or the seale of the Court of Augmentations, sithence 4. of Feb. An. 27. H. 8. butill 12. Maii, An. 35. of his raigne, and to be made vii. yeeres after, notwithstanding any misnaming, mispysion, misrecitall &c. (vt supra.) And also confirming all exchanges, fines, feoffements, recoueries, deedes inrolled &c. made within the foresaid time, by any persons to the said king, of any lands, tenements, or hereditaments &c. notwithstanding any misrecitall, misnaming, nor recitall, or not naming of any the said lands &c.

A confirmation of the patents of king H. 8.

9 All and euery honours, manors, lands, tenements, and hereditaments, which at any time heretofore were the possessions of any Abbey, Monasterie, Priorie, Nunnerie, or other Religious or Ecclesiasticall house or houses, and which after 4. Februarij, Anno 27. H. 8. came to the hands or possession of the said late King H. the 8, or which were put in charge, to, or for his Highnesse in his Court of Erchequer, or any other Courts of the said late King concerning his reuenues, or by any Auditors, or other Officer of the said late king, or which after the said 4. Feb.

All Abbey lads which came to the possession of king H. the 8. or were put in charge in any Court, or by any officer for him, or were graunted, or mentioned to be graunted by his

Letters patents
to any person,
were, & shall be
adjudged to be
in his lawfull
and actual pos-
session.

Anno 27. H. 8. were graunted or conueighed, or mencioned to be graun-
ted or conueighed, in or by any letters Patents whatsoever made by the
said late King H. the 8, to any person or persons, bodie politique or cor-
porat, were and shall be reputed, taken, & adiudged to haue bin lawfully
and perfectly in the actuall and reall possession of the said late King and
his heires and successors, at such time as the same did so come to his Ma-
iesties hands and possession, or were so put in charge, or graunted or con-
ueighed by the said late King H. the 8. as aforesaid: Notwithstanding
any defect, want, or insufficiency, of, or in any surrender, graunt, or con-
ueiance of the same honours, manors, lands, tenements, or heredita-
ments, or any part thereof, to the said late King H. the 8. or any other
matter or cause whatsoever, by which his Highnesse was or might haue
bin intituled to the same. 25. El. 3.

H. 8. letters
patents for the
foundation of
Deane & Cha-
piter, or Col-
ledge.

10 All and singular Letters patents made by the said King H. the 8.
at any time after the said 4. Februarii, Anno 27. H. 8. for the erection,
foundation, incorporation, or indowment of any Deane and Chapi-
ter, or Colledge, were and shall be reputed, taken, and adiudged to haue
bin good, perfect, and effectuell in the Law for all things therein contain-
ed, according to the true intent and meaning of the same: any thing,
matter, or cause to the contrarie thereof in any wise notwithstanding.
35. El. 3.

Other mens
rights saved.

11 Sauing alwaies vnto all person and persons, bodies politique and
corporate, their heires and successors, and euery of them, (other then the
late Abbots, Abbesses, Priors, Prioresses, and other Gouvernors of such
Abbeis, Monasteries, Priories, Nunneries, and other Religious and
Ecclesiasticall houses, and their successors, and such as pretended to be
Founders, Patrons, or Donors of the same, or any of them: or of any
manours, landes, tenements, or hereditaments belonging to the same,
or to any of them, and their and euery of their heires and successors) all
such right, title, interest, claime, and demaunde, as they or any of them,
or their, or any of their aunccestors or predecessors might or ought to haue
had, of, in, to, or out of any such honours, manors, landes, tenements,
or hereditaments, before the said 4. Februarii, Anno 27. H. 8. or before
the making of such Letters patents by the said King H. the 8. as if the
said letters Patents made by the said King H. the 8. and the foresaid Sta-
tute made in the said 34. yeere of his raigne, and this present Act had
neuer bin made: this Act or any thing therein contayned to the contrarie
notwithstanding. 35. El. 3.

A confirmation
of the Patents
of King Ed. 6.

12 Anno 1. Ed. 6. 8. the like Statute was made, confirming al Let-
ters patents, Indentures, and other writings made or graunted, to any
person or persons &c. by the said King, vnder any of the foresaid thre
seales, sithence 28. Jan. An. 1. Ed. 6. and to be made during the said
Kings life, notwithstanding any misnaming, misrecital &c.

13 An. 7. Ed. 6. 3. A statute was made, confirming all letters patents, A confirmatiō of the patents of king H. 8. & king Ed. 6. made by king H. 8. sithence 4. Feb. An. 27. of his reigne, & by king Ed. 6. sithence 28. Jan. An. 1. of his reigne, of bargaines & sales, gifts, exchanges &c. notwithstanding the lacke or losse of the particulers, or the bil assigned of the patents, & notwithstanding the nonage of the said King Ed. 6. as Duke of Lancaster, or any Act, statute, or lawes, for, or concerning anie tenures or reseruatiōs of rents or tenths to the contrarie &c.

14 An. 4. and 5. H. 8. 1. A statute was made confirming all letters patents, indentures, and other writings made by the said King & Queene, A confirmatiō of the patents of king H. 8. and D. Marie. or by the said Queene, vnder the great seale of Englad, or the seale of the Duchie of Lancaster, sithence 7. Jul. An. 1. H. vntill 7. Mar. An. Dom. 1557. and to be made by the said King and Queene, during vii. yeeres after the said vii. day of March, notwithstanding any misnaming, misrecital &c. vt supra. And also confirming all feoffements, fines, surrenders &c. made within the foresaid time by anie person, body politique, or corporat, to the said King and Queene, or to the said Queene, of anie landes, tenements, or hereditaments.

15 Euerie person to whom the Queene shall grant the custodie and Wardship of anie of her Wardes, shall vpon his bill assigned thereof sue forth his patent within foure moneths next after the assignement of the said bill, or else the same bill, and the effect thereof shall be vtterly void, within what time a patent shall be sued forth of a wardship or liuerie. 32. H. 8. 46.

16 And euerie person to whom the Queene shall grant any Liuerie, to be sued vpon his bill assigned thereof, with the Queenes hand, or with the hands of the officers of her court of Wardes & Liuries, shall sue forth his patent within iii. moneths next after the assignment of the said bill, or else the same bill, and the effect thereof shall be vtterly void. 33. H. 8. 22.

17 If a Patent be made to anie person, of landes seyled into the Queenes handes vpon an Enquest taken befoze an Escheator or Com- A patent of Lands seised vpon an Enquest taken befoze an Escheator. missioner, or any of the same lads letten to ferme by any of the Queenes officers, vntill the same Enquest be returned into the Chauncerie or Eschequer, and that the lands haue remained in the Queenes hands, vntill such Enquest be returned and one moneth after, the patent shall be void, except such as doe find themselves griued by the same Enquests do come into the Chauncerie within thzee moneths after the same office put into the Chauncerie, or Eschequer, and do offer to traaverse the Enquest, and to take the same lands to farme, shewing good euidence, pzoouing their traaverse to be true, to whom the lands shall be let to farme, to hold vntill the issue vpo the same traavers be found for the Queene, or the partie finding sufficient suretie to pursue the said traavers with effect, and to pay to the Queene the rent if by right it be hers. And then all other patents made thereof within the thzee moneths shall be void. 36. Ed. 3. 13. 8. H. 6. 16. 18. H. 6. 6. 1. H. 8. 10.

Periurie.

- 1 Wherein an Affise doth lie against the Queenes patentee. S. Aff. 5.
- 2 That a patent graunted of the office of a Sherife or vnderherife, in fee, for life, or yeeres shall be void. S. Sherife. 4.
- 3 That Knights fees, aduowsons and dowers do not passe by patent without speciall words. S. Prærogative 15.
- 4 How long a patent made to an Eschetour for that office shall endure. S. Eschetor 8.
- 5 Of what offices there shall be no estate graunted by patent, but the officers shall be remouable. S. Officers 3.
- 6 That a patent made to a Vitailer to be a Purueyor for the Queenes cariage is void. S. Purueiour 12.
- 7 What things shall be put in euerie patent graunted, to make an Alien Denizen. S. Aliens 15.
- 8 That an Exemplification of patent shall be of the same force that a patent is. S. Exemplification 1.
- 9 Where a patent may be made void, by being retained, wearing the liuerie, or doing seruice to another. S. Liuerie. 7. 8.

Periurie.

Procuring
wilful periury.

Euerie person and persons which shall unlawfully and corruptly procure anie witnes or witnesses by Letters, Rewards, Promises, or by anie other sinister and unlawfull labour or meanes whatsoever, to commit anie wilfull and corrupt periurie in anie matter or cause whatsoever, depending in suit and variance, by anie writ, action, bill, complaint, or information, in anie wise concerning anie lands, tenements, or hereditaments, or any goods, cattels, debts, or dammages, in anie of the Courts of Chauncerie, Starre chamber, White hall, or in anie other of the Queenes Courts of Record, or in anie Leete, view of francke pledge, or lawday, auncient demesne Court, Court hundred, Court baron, or in the court or courtes of the Stanerie in the Counties of Deuon. and Cornwall, Or shall likewise unlawfully and corruptly procure or suborne anie witnes or witnesses which shalbe sworne to testifie In perpetuam rei memoriam: Then euerie such offendour or offendours, shall for his, hers, or their said offence being thereof lawfully conuicted or attainted, forsaith xl. l. to the Queene and partie greued &c. that will sue by A. J. B. D. &c. wherein no W. &c. C. D. J. &c. And if it happen anie such offendour or offendours being so conuicted or attainted as aforesaid, not to haue anie goods or cattels, lands or tenements, to the value of xl. l. then euerie such person or persons so conuicted or attainted of any of the offences aforesaid, shall suffer imprisonment one halfe yeere without baile or mainprise, and stand vpon the pillozie one whole houre, in some market towne, where, or next adioyning to the place where the offence was committed in open market there. And no person or persons being so conuicted or attainted, &c. shall be from thenceforth receiued as a witnes to be deposed in anie court

court of record, within any of the Ducenes dominions of England, Wales, or the Marches of the same, untill the iudgement giuen against him or them, shall be reuerſed by attainr, or otherwise, And vpon euerie ſuch reuerſall the parties griued ſhall recouer his or their dammages againſt all and euerie ſuch perſon & perſons, as did procure the ſaid iudgement ſo reuerſed to be firſt giuen againſt them or anie of them, by action to be ſued vpon his or their caſe, according to the courſe of the common law. 5. Eliz. 9. 29. Eliz. 5. S. Maintenance 4.

2 If anie perſon or perſons either by the ſubornation, unlawfull procurement, ſiniſter perſwaſion, or meanes of any others, or by their owne act, conſent, or agreement, ſhall wilfully and corruptly commit anie manner of wilfull periurie by his or their depoſition in anie of the Courts befoze mentioned, or being examined Ad perpetuam rei memoriam, then euerie perſon or perſons ſo offending and being thereof duely conuict or attainted by the lawes of this Realme, ſhall for his or their ſaid offence looſe & forſait xx. l. to the D. & P. griued &c. that will ſue by A. N. P. &c. wherein no M. &c. E. P. N. &c. and ſhall haue vi. moneths impriſonment, without baile or mainprize, and his oth from thenceforth ſhall not be receiued in any court of record &c. untill the iudgement giuen againſt him ſhall be reuerſed by attainr or otherwise. And vpon euerie ſuch reuerſall, the partie griued ſhall recouer his dammages againſt all and euerie ſuch perſon and perſons, as did procure the ſaid iudgement ſo reuerſed, to be giuen againſt him, by action to be ſued vpon his caſe &c. And if the ſaid offendor haue not any goods or Cattels to the value of xx. l. then he ſhall be ſet on the pillorie in ſome Market place, within the Shire, Citie, or Borough, where the ſaid offence ſhall be committed, by the Sherife or his Miniſters, if it be without any Citie or Towne Corporat: And if it be within anie Citie or towne corporat, then by the head Officer or Officers of the ſame Citie &c. or by his or their miniſters, and there ſhall haue both his eares nailed, and from thenceforth be diſcredited & diſabled for euer to be ſworne in any of the courts of record afozeſaid, untill the iudgement ſhall be reuerſed, and thereupon ſhall recouer his dammages in maner & forme befoze mencioned. 5. Eliz. 9. 29. Eliz. 5.

3 But this Act doth not extend to anie Eccleſiaſticall court within England, Wales, or the Marches of the ſame, but euerie ſuch offendor, as hall offend in forme afozeſaid, ſhall and may be puniſhed by ſuch ordina-
Periurie committed in any eccleſiaſticall Court.
 ie lawes as heretofore hath beene, and yet are vſed in the ſaid eccleſiaſticall courts. 5. Eliz. 9. 29. Eliz. 5.

4 Aswell the Iudge and Iudges of euery ſuch Court where any ſuch
Periurie puniſhable in the ſtarre chamber
 uit ſhalbe, whereupon anie ſuch periurie ſhalbe comitted, as alſo the Ju-
 ſtices of aſſiſe, & gaole deliuerie in their ſenerall circuites, & the Juſtices
of other courts.
 of peace at their quarter ſeſſions, haue power to enquire of, heare and de-
 termine all the offences committed contrary to this act by inquiſition,
 preſentment,

presentment, bill, or information. And the Iustices of assise of euerie circuit within this Realme, and elsewhere within the Queenes dominions, shall in euery countie within their circuits, two times in the yeere, that is to say, in the time of their sittings, make open Proclamation of this Statute, or of the effect thereof, to the intent that no person shall be ignorant of the penalties herein contained. But this statute doth not restraine the power giue by a Statute made Ann. 11. H. 7. 25. to the Lord Chauncelour and others of the Queenes counsell, to examine and punish riots, routes, heinous periuries, and other offences (which haue vsed to heare and determine such matters, in the Star Chamber at Westminster,) nor to restraine the power of the Lord President and counsell in the marches of Wales, or in the North, nor of any other Iudge hauing absolute power to punish periurie, before the making of this statute. But they and euerie of them shall and may proceede in the punishment of all offences, heretofore punishable, in such wise, as they might haue done and vsed to do before the making of this act, to all purposes, so that they set not vpon the offenders lesse punishment then is contained in this act. 5. Eliz. 9. 29. Eliz. 5. S. Iustices of Peace. 23.

1 Where, in what cases, and in what maner periurie shall be punished by attain. S. Attaint.

Pewter, Brasse, Pewterers.

Pewter shal be sold in faires and markets, and in the owners house only.

NO person or persons vsing the craft of Pewterers & Brasiers, shall sell or change any Pewter or Brasse, new or old, at any place within this realme, but only in open faires, markets, or in their owne dwelling houses, but if they be desired by the buiers of such wares, vpon paine of forf. for euery such default to the Q. and to him that wil seise, or present the same, or that will sue for the same by A. J. &c. x. li. wherein no W. E. P. &c. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Of what goodnes pewter and brasse vessell ought to be.

2 If any person either worke or cast any pewter vessell or brasse at any place within this realme except it be as good fine metall as is the pewter & brasse cast and wrought after the perfect goodnes of the same within the Citie of London, and by the statutes of the same ought to be, he shal forf. to the vse of the Q. and the finder thereof, or of him that wil seise or sue for the same by A. J. &c. al such pewter and brasse so cast, and wrought of worse pewter and brasse &c. But this forsaiture shall not extend to brasse or pewter being in the possession of any person, other then the workers of the same, or such as haue the same to sell, and being of the crafts or misterie &c. 19. H. 7. 6. 4. H. 8. 7. 25. H. 8. 9.

Hollow wares.

3 No person shall make any hollow wares of Pewter, viz. Salts, and Pots that are made of Pewter, called lay mettall, but that it be after the assise of pewter lay mettall wrought within London. And the makers of such wares, shall marke the same with seuerall markes of their owne, to the intent that they shall auow y^e same wares by them wrought

Marking of vessell.

ant

and all such wares not sufficiently made, and not marked in forme aforesaid, found in the possession of the same maker, or seller, shall be forfeited. And if the same ware be sold, the maker shall forfeit to the use of the Queene, and of the finder, or searcher, or of him that will seise or sue for the same by A. T. &c. the value of the same ware so unlawfully wrought and sold. 19.H.7.6.4.H.8.7.25.H.8.9.

4 If any person using buying and selling of pewter or brasse, do occupie any deceivable, untrue, or false beames, or weights of the said wares, he shall forfeit to the Q. and the partie that wil sue by A. of debt, xx. s. where there is no P. E. &c. And also the party so offending, shall forfeit his beame, to him that shall seise it. And if the said offender be not sufficient to pay his said summe by him so forfeit, then it is lawfull to the Maiors, Bailiffs, or other head officers of such places where any such offenders shall be found, to put him in the stocks, and so to keepe him untill the next market day, next adjoining, and in the market place to put him on the pillorie all the market time. 19.H.7.6.4.H.8.7.

Occupying
false beames &
weights about
brasse & pewter.

5 It shall be lawfull for the Masters, & Wardens of the craft of Pewterers within euery Citie and Borough where such Wardens are, and where no such Wardens are, for the head officers, or gouernours of the same citie or Borough, to appoint certaine persons, most expert in knowledge of the same, to make search in the said Cities or Boroughes where they dwell. And the Iustices of Peace in euery Shire, at their generall Sessions holden at Michaelmas, shall appoint two persons hauing experience therein, to make search in the premises, in euery part of that shire, as well within franchises as without (sauing in Cities and Boroughs, where searchers be appointed by the gouernours of the same.) And all such unlawfull pewter, or brasse, as the said searchers shall find, shall be to the use of the Queene and of the said searchers. And in default of the said Masters and Wardens of the said occupations, not searching in forme aforesaid, and whereby any such unlawfull metall is cast or made, or unlawfull weight used, it shall be lawfull to any person hauing sufficient cunning in the said occupations, by ouersight of the Maior, Bailiffs, or head officers of the said Cities, Boroughs, and Townes, to search all the said places, and to put the said authoritie and act in execution, in forme aforesaid. 19.H.7.6.4.H.8.7.

Searchers of
pewter and
brasse.

6 If any deceivable workmanship of tinne or pewter, be found either in chargers, platters, dishes, sawcers, porringers, trenchers, basons, lagons, bottels, pots, saltcellers, goblets, spoones, cruets, or candlesticks, or any other such wares of tinne or pewter, whatsoeuer it be, cast or wrought within this Realme, or without, & brought to be sold within this Realme, it shall be lawfull to the Maior of London, and the Masters and Wardens of the craft of Pewterers of the said Citie and their deputies, to haue search of the same within the Citie of London, and the Suburbs

Searchers of
tinne or pew-
ter vessel.

Suburbes of the same. And in all other Cities, Boroughs and Townes where any Wardens be or shal be, the Maiors, Baylifes, or head officers, and wardens shall haue like authoritie, and where no wardens be, then the head Officers, or Gouvernours of the same Cities, Boroughs, and Townes shall haue authoritie to appoint certaine persons most cunning in knowledge of y^e same, to make search within the said Cities, Boroughs and Townes where they dwell. And if anie such new wares, wrought of Tinne, and Pewter be found defectiue and being in the possession of the seller, then the same person that putteth any such new wares of Pewter to sale, shall forfeit the same wares to the Queene, & searchers or finders, or to him that wil seise or sue for the same by A. J. &c. wherein no M. &c. E. P. &c. But this act concerning the forfeitures shall not be prejudicial to any person hauing the graunt of king H. 8. or of any of his progenitors, by his letters patents, of such forfe. But euery of them shall enjoy the same according to their graunts and liberties. 4. H. 8. 7. 25. H. 8. 9. 33. H. 8. 4.

Wares of Tin
made out of
this realme.

7 No person inhabiting within this Realme; shall buy or take by exchange, for other Wares, any Wares made out of this realme, of Tin, or mixt with tinne, as platters, dishes, saucers, pots, basons, ewers, flagons, goblets, salts, saltcellers, spoones, or any other thing made of tin, or pewter, whatsoever it be, vpon paine of forfe. (to the vse of the Q. and the finders thereof) of the same wares, in whose hands soeuer it may be found or taken, and also lawfull money currant in this realme, to the full value thereof. And it is lawfull to the masters and wardens of the craft of pewterers within euery citie, borough and towne of this realme, where such wardens be, & where no such wardens be, to the head officers, or gouernours of the same Citie &c. to appoint diuers persons most expert in knowledge of the same to make search and seisure of all such wares, as shall be brought contrarie to the true intent of this Acte, in whose soeuer possessions any such shall be found. 25. H. 8. 9. And if anie person doe unlawfully withstand, disturbe, or let the said Master, & Wardens or their deputies, or any of the head officers or gouernours of Cities, Townes, or Boroughs, wherein no such Masters or Wardens are, in searching and seising such wares as shall be brought into this Realme contrarie to the forme aforesaid, Then euery such person so offending, shall forfe. for euerie time so doing to the vse of the Q. and J. v. l. to be rec. by A. J. &c. wherein no M. E. P. &c. 33. H. 8. 4.

Withstanding
seisure.

No stranger
borne shall
worke pewter.

8 No Stranger borne out of this Realme shall vse the said craft of Pewterers, nor worke any manner of vessel, or other ware aforesaid, to be made of Tinne or Pewter, within anie place of this Realme, vpon paine of forfe. of x. l. to the vse of the Q. and J. to be recovered by A. J. &c. wherein no M. E. P. &c. And also vpon paine of forfe. of the same pewter or tinne so wrought, in whose hands soeuer it may be found, or taken. 25. H. 8. 9. 33. H. 8. 4.

9 No persons being bozne within this Realme, occupying or exercising the said craft of pewterers, shall resort into any strange regions, or countries, there to teach, or exercise y^e said craft of pewterers, vpon paine to loose the priuiledge and benefit of an English man. 25. H. 8. 9. 33. H. 8. 4.

Phisitions.

King Henry the eight by his letters patents bearing date at Westminster the xxiii. day of September, in the x. yeere of his raigne, did erect, constitute, ordaine, and appoint a perpetuall Colledge of graue and learned men, which should openly practise phisicke, within the Citie and suburbs of London, and within vii. miles euerie way round about the same Citie, And did graunt that all men of the same facultie, of, and in the said Citie, should be in deede and name one body and a comminaltie, or Colledge perpetuall. And that the same Comminaltie, or Colledge may yeerely for euer choole and make of their comminalties some wise man, and expert in the science of Phisicke, to be President of the said Colledge or Comminaltie, to ouersee, correct, & gouerne for the yeere the foresaid Colledge or Comminaltie, and all men of the same facultie and their affaires. And that the same President, and Colledge or Comminaltie should haue a perpetuall succession, and a common seale continually to be employed vnto the businesse and vse of the said President and Colledge. And that they and their successors for euer shall be persons able, and of sufficient capacitie to purchase and possesse in fee and perpetuities, any landes, tenements, rents, and other possessions whatsoever. And that they and their successors might purchase as wel within the Citie as without, any lands and tenements whatsoever not exceeding the value of xlii. s. by the yeere, notwithstanding the statute of Mortmaine. And that they by the names of the President of the Colledge or Comminaltie of the facultie of Phisicke in London, may implead and be impleaded before any Iudges, in anie courts or actions whatsoever. And that the foresaid President, and Colledge or comminaltie and their successors may lawfully make honest and lawfull congregations, statutes and ordinances for the gouernment, ouersight and correction of the said Colledge or comminaltie, and of all men practising phisicke, within the said Citie, and vii. miles round about, as necessitie requireth, without impediment of the king, his heires, successors, or anie of his officers. And that no man in the said Citie, or within vii. miles compasse thereof, shall practise the said facultie, except he be admitted thereunto by the said President and comminaltie, or their successors for the time being, by the letters of the said President and comminalty sealed with their seale vpon paine of C. s. for euery moneth that any which is not admitted, shall practise the foresaid facultie, whereof one halfe to be imploied to the kings vse, and the other to the vse of the President and Comminaltie. And that the President and Colledge of the foresaid Comminaltie, for the time being, and their

No pewterer shall teach or vse his trade in a foraigne region.

The Phisitions in London made a body corporat.

President of the Colledge.

A comon seale.

Sue and be fined.

Ordinaries.

Fourc gouernors.

success

Phisitions.

successors, for ever shall yeerely choole foure which shall haue the suruey, search, correction and gouernance, of all the Phisitions of the said Citie, vsing the facultie of Phisicke, within the same Citie, and of other foraine Phisitions whatsoeuer vsing the same facultie within the same Citie and suburbs, or within vii. miles compasse of the same Citie, and the punishment of them for their offences, in not well executing, doing and vsing thereof, and also the suruey and search of all maner of Medicines, and their receipts to be giuen, imploied and vsed by the same Phisitions, or any of them, to any of the kings liege people for the curing and healing of their diseases, as often and when soeuer it shall be needfull for the profit of the same people, so that the punishment of the same Phisitions vsing the said facultie, so offending in the premises, be executed by fines, amercements, imprisonment of their bodies, and by other reasonable and conuenient waies. And that neither the President nor any of the said Colledge of Phisitions, nor their successors, nor any of them practising Phisicke within the foresaid Citie, suburbs, or elsewhere, shall be summoned, or put in assises, Iuries, Enquests, inquisitions, Attaints, and other recognisances taken or summoned within the said citie & suburbs, before the Maior and Sherifes, or Coroners of the said Citie, or any officer or minister of theirs, though the same Iuries, Inquisitions, or recognisances, were summoned vpon writs of right. But that the said Masters, Gouvernozs, comminalltie, & their successors and euery of them practising the said facultie, shalbe for ever discharged against y^e said King, his heires and successors, and against the Maior and Sherifs of the foresaid Citie for the time being, & all their officers. In which letters Patents there is a Prouiso, that the said letters or any thing therein contained, shall not be preiudiciall to the Citie of London, or the liberties thereof.

Not summoned
in iuries.

The liberties
of London sa-
ued.

The corporati-
on of phisitions
confirmed.

2 After by the statutes made 14.H.8.5. and 1.H.9. the said corporation of the said comminalltie, and fellowship of the facultie of Phisick, and euerie graunt, article, and other thing contained in the said letters patents, bee prooued, graunted, and confirmed, and cleerely authozised and admitted by the same, good, lawfull, auailable to the said bodie corporat and their successors for ever, in as large maner as may be taken, thought, and construed by the same.

3 There shall be eight persons of the said comminalltie, which shall be called Electes, and the same Electes shall yeerely choole one of them to be President of the said comminalltie, & as often as any of the Roomes of the said Electes shall be void by death, or otherwise, then the superuiuozs of the same Electes, within thirtie or fortie daies after the death of any of them, shall choole and admitte one or moze, as neede shall require, of the most cunning and expert men of the said facultie in London, to supply the said roome and number of eight persons, so that he or they that shall be so chosen, be first by the said superuiuozs straitly examined after

viii. Elects.

A president.

a forme

a fourme deuised by the said Electes, and also by the said Superuiuors approued, 14.H.8.5.

4 Whensoever the President of the said Colledge &c. or such as the said President and Colledge shall verely authorize to search, examine, and punish al offendors in the said faculty, within the same City and precinct, shall commit any such offender for his offences or disobedience (contrarie to any article, or clause contained in the said grant; or act made 14.H.8.) to any warde, gaole, or prison within the said Citie and precinct, (the Tower of London except:) Then the Warden, Gailer, or Keeper of the prison shall receiue into his prison euery such person so offending as shalbe so committed to him, & there shall safely keepe him at their proper costes of the said person so committed without baile or mainprise, untill such offender or disobedient be discharged of the said imprisonment by the said President, and such persons as by the said Colledge shalbe authorized, vpon pain that euery such warden, gailor &c. doing contrarie, shall forf. to the vse of the Q. and the said President & Colledge, the double of such fine and amerciamment as such offender or disobedient shall be assessed to pay, by such as the said President and Colledge shall authorize, so that the same fine and amerciamment be not at any time aboue xx.li. to be rec. by A. J. &c. wherein no W. &c. E. P. &c. 1. H. 9.

Imprisonment
of offenders.

5 The President of the said Comminaltie, and euerie fellow thereof, and their successors shall be discharged to keepe any watch or ward in the Citie of London, or Suburbes of the same. And they nor any of them shall be chosen Constable, or any other Officer in the said City or Suburbes. And if the said President or any of the said fellows be appointed or elected to any watch or ward, office of Constable, or other office within the said City or suburbs, the same appointment and election shalbe void 32.H.8.40.

Phisitions dis-
charged to be
officers in
London.

6 No person out of the Citie of London, and precinct of seven miles of the same (except he hath bin approued in the same) shall take vpon him to exercise, and occupie as a Phisition in any Dioces within this Realme, but if he hath bin first examined and approued by the Bishop of the same Dioces, or (he being out of the Dioces) by his Vicar generall, either of them calling to them such expert persons in the said facultie, as to them shall seeme good, and giuing their letters testimoniall vnder their seale to him that they shall so approue, vpon paine of forf. for euery moneth that he doth occupie, not examined and approued v.li. to the vse of the Q. and J. to be recovered by A. of debt, wherein no W. P. &c. But this act is not preiudiciall to either of the vniuersities of Oxford or Cambridge, or to any priuiledges graunted to them. 3.H.8.11. And in the same Statute it was further enacted, that no person within London, or vii. miles compass, should occupie as a Phisition, except he be first proued, and admitted by the Bishop of London, or the Deane of Powles, calling to him iiii.

Euery phisiti-
on shalbe al-
lowed by the
Bishop of the
Dioces.

Phisitions.

Doctors in Phisicke. But S. 1. and 2. Quere.

Every Phisition shall be allowed by the President and three Elects.

7 No person shall be suffered to exercise or practise in Phisicke through England, vntill he be examined at London by the President of the Colledge of the facultie of Phisicke, and iii. of the Elects, and hath from the said President or Elects letters Testimonials of their approuing and examination, except he be a Graduat of Oxford or Cambridge, which hath accomplished all things for his forme without any grace. 14. H. 8. 5.

Four Phisitions shall search Apothecarie wares.

8 The President for the time being, Commons, and Fellowes of the fellowship of the facultie of Phisicke in London, and their successors, may perely elect iiii. persons of the said fellowes of the best learned, wisest, and most discreete, and the said iiii. persons so elected, after a corporall othe to them ministred by the said President or his Deputie, haue authoritie as often as they shall thinke conuenient, to enter into the house of all and euery Potheary vling the mysterie of a Potheary within the said Citie, onely to search, view, and see such potheary wares, drugges, and stufte, as the said Pothearies or any of them haue in their houses, and all such wares, drugges, and stufte as the said iiii. persons shall then find defectiue, corrupted, and not meete to be ministred in any medicines for the health of mans bodie, the same iiii. persons calling to them the Wardens of the said mysterie of Pothearies within the said Citie, or one of them, shall cause to be burned, or otherwise destroy the same, as they shall thinke meete. 32. H. 8. 40. But if the said Warden or Wardens do refuse, or delay his or their comming thereunto forthwith when the said President, or iiii. of his Colledge elect, do cal vpon him or them; then the said Phisitions may and shall execute that search and view, and the due punishment of the Pothearies for any their euill and faultie stufte, without the assistance of any of the said Wardens. 1. H. 9. And if any of the said Pothearies at any time do obstinately or willingly refuse, or denie the said iiii. persons to enter into his house; for the causes befoze rehearsed, then for euery time that he doth so offend, he shall forfait to the Queene and A. v. li. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 32. H. 8. 40. And euery such person as will resist such search, shall forfait x. li. to the Queene and the said President and Colledge, to be recovered by A. J. &c. wherein no W. &c. E. &c. 1. H. 9.

Elects refusing to be sworn, or to make search.

9 If any of the said iiii. persons so elected, do refuse to be sworn, or after his othe to him ministred, do obstinately refuse to make the said search once in the yere, at such time as they shall thinke conuenient, hauing no lawfull impediment by sicknesse or otherwise to the contrarie, then for euery such obstinate default, euery of them making default, shall forfait xl. s. 32. H. 8. 40.

Other magistrates shall assist the Phisitions.

10 All Iustices, Maiors, Sherifes, bailifes, constables and other ministers and officers within the Citie and suburbs of London, and vii. miles compasse of the said Citie, vpon request to them made, shall aide and assist

list the President of the said Colledge, and all persons by them from time to time authorized, for the due execution of the foresaid statutes 14. H. 8. and 3 2. H. 8. upon paine for not giuing of such aide, helpe, and assistance, to runne in contempt of the Queenes Maiestie, her heires and successors. 1. H. 9.

1 That no Phisitions may practise surgerie, S. Surgeons 2.

Piracie.

All treasons, felonies, robberies, murders, and confederations, committed vpon the Sea or in any other Hauen, Riuer, Creeke or place where the Admiral hath, or pretendeth to haue iurisdiction, shalbe inquired, tried, heard, determined, and iudged in such shires and places in the realme, as shalbe limited in the Queenes commission, or commissions to be directed for the same, in like forme as if any such offences had bin committed vpon the land. And such commissions shalbe had vnder the great seale, directed to the Admiral, or his lieutenant, and deputy, and to iii. or iiii. such other as shall be appointed by the Lord Chancellor as oft as need shall require to heare and determine such offences after the common course of the lawes of this land vsed for treasons, felonies, robberies, murders, and confederacies of the same, committed vpon the land within this Realme. 28. H. 8. 15. S. Treason 13. That the triall of treason shalbe according to the due course of the common law, Et ideo quare.

Trial of offences done within the Admirals iurisdiction.

2 Such persons to whom such commissions shall be directed, or foure of them at the least, shall haue power to enquire of such offences, by the othes of twelue good and lawful inhabitants in the shire limited in their Commission, in such maner, as if such offences had bin committed vpon the land, within the same shire, And euery indictment found, and presented before such Commissioners of any treasons, felonies, robberies, murders, manslaughter, or such other offences committed vpon the Seas, or vpon any other hauen, riuer or creeke, shalbe good and effectual in the law. And if any person happen to be indicted for any such offence done vpon the Seas, or in any other place aboue limited, then such order, proces, iudgement, and execution shalbe vsed, and made to and against euery such person so indicted, as against traitors, felons, and murderers, for treason, felony, robbery, murder, or other such offences done vpon the land. And the trial of such offence (if it be denied by the offendor) shall be had by twelue lawful men inhabiting in the shire limited within such commission, and no challenge to be had for the hundred. And such as shalbe conuict of any such offence by verdict, confession, or proces, by authority of any such commission, shall suffer such paines of death, losses of lands, goods and cattels, as if they had bin attainted and conuicted of any of the said offences done vpon the land. An. 28. H. 8. 15.

The commissioners authority.

3 This Act shall not be preiudiciall to any person for taking any victualle, cables, ropes, ankers, or sailes, which he compelled by necessitie,

Things taken vpon necessitie.

Playes and Games.

taketh in any shippe, which may conveniently spare the same, so the same person pay out of hand for the same vitaille, cables &c. money or money woorth, to the value of the thing so taken, or doth deliver for the same a sufficient Bill obligatorie to be paid in forme following, viz. if the taking of the same thinges be on this side the straites of Dover, then to be paid within iiii. Moneths, and if it be beyond the said straites, then to be paid within xii. moneths next ensuing the making of such billes, and that the makers of such bills truly pay the same debt at the day limited within the said billes. 28. H. 8. 15.

Commissions directed vnto the v. ports.

4 Whensoever any such commission for the punishment of any of the offences aforesaid, shalbe directed to any place within the iurisdiction of the five ports. Then it shall be directed vnto the Lord Warden of the said ports, or to his deputy, and vnto x. or xiii. such other persons, as the Lord Chauncelloz shall appoint. And euery inquisition and triall there of any of the offences aforesaid, shalbe made by the inhabitants in the said v. ports, or the members thereof. 28. H. 8. 15. S. Admirall 2.

Plaies and Games.

Maintenance of houses for unlawfull games.

NO person by himselfe, or any other, shall for his gaine or liuing keepe or maintain any common house, alley, or place of bowling, quoyting, closs, cailles, halfe boules, tennis, dicing, tables, or carding, or any other manner of game prohibited by any Statute, or any unlawfull newe game now inuented, or made, or any other newe unlawfull game hereafter to be inuented, found, or made, vpon paine to forfe. for euery day keeping or maintaining, or suffering any such game to be had, kept, executed, plaied or maintained within any such house, gardein, alley, or other place, contrary to the forme & effect aforesaid xl. s. And also euery person vsing & haunting any of the said houses and places, and there playing, shall forfe. for euery time so doing vi. s. viii. d. 33. H. 8. 9.

Playing at unlawfull games.

Placards.

2 If any person sue for any placard to haue common gaming in his house, contrary to this statute, Then it shall be contained in the same placard what game shalbe vsed in the same house, and what person shall play thereat. And euery placard graunted to the contrary shall be void. And also the partie obtaining any such placard, before he put the same in execution, shall be bound with sufficient suerties with him by recognisance in the Chauncery, in a certaine summe to be appointed by the Lord Chauncelloz, that he shall not vse the said placard contrary to the fourme thereof. 33. H. 8. 9. But by the statute made An. 2. and 3. H. and M. 9. Euery licence, placard, or graunt, before that time made to any person or persons for the haunting, maintaining, or keeping of bowling allies, Dicing houses, or other unlawful games prohibited by the lawes and statutes of this Realme, were made void.

Persons prohibited to play at unlawfull games.

3 No Artificer or Craftesman of any handycraft, husbandman, apprentice, labourer, seruant at husbandry, journeyman, or seruant of artificers

officers, mariners, fishermen, watermen, or any servingman, shall play at the Tables, Tennis, Dice, Cardes, Bowles, Clash, Copting, Logging, or any other unlawfull games out of Christmas, under the pain of xx. s. to be forfeited for every time, and in Christmas to play at any of the said games in their Masters houses, or in their Masters presence. But it is lawfull to every Master, to licence his servants to play at Cards, Dice, or Tables, with their Master, or any other gentleman repaying to their Master, openly in his house, or in his presence, and it is lawfull for every such servant for every time so being licenced as is aforesaid to play &c. 33. H. 8. 9.

Playing by licence.

4 No person shall at any time play at any Bowle or Bowles, in open Bowling places out of his gardein, or orchard, under the paine for every time so offending to forfeit vi. s. viii. d. But it is lawfull to every Noble man, and other, having lands, tenements, or other peerely profits for terme of life, in his owne right, or in his wives, to the peerely value of a C. li. or above, to commaund or licence his servants of his house for to play within the precinct of his house, gardein, or orchard, at Cards, Dice, Tables, Bowles, or Tennis, aswel amongst themselves, as other repairing to the said house, and they so playing by commaundement or licence, shall not incurre any penaltie contained in this act for the same. 33. H. 8. 9.

5 It is lawfull to all and every the Justices of peace in every Shire, Maiors, Sherifes, Bailifes, and other head Officers, within every Cittie, Towne, and Borough, from time to time, aswell within liberties as without, as neede and case shall require, to enter and resort into all houses, places, and Allyes, where unlawfull games shall be suspected to be holden or used, contrary to this statute: And aswell the keepers of the same, as also the persons there resorting and playing, to arrest and imprison, and to keepe in prison, untill the keepers of the said playes and games, haue found suerties to the D. vse, to be bound by Recognisance or otherwise, no longer to keepe or occupy any such house, play, game, alley, or place. And also the persons there so found, shall in like case be bound by themselves, or else with suerties by the discretion of the Justices, Maiors, Sherifes, &c. no more to play, haunt, or exercise from henceforth, in, at, or to any of the said places or games. And all Justices of peace, Maiors, and head Officers &c. and every of them, finding or knowing any person using any unlawfull games, contrary to this statute, haue authoritie to commit every such offender to ward, there to remaine without baile or mainprise, untill such time he be bound by obligation to the Queenes vse, in such summe of money, as by the discretion of the said Justices, Maiors, Bailifes, &c. shall be thought reasonable, that he shall not from thenceforth vse such unlawfull games. 33. H. 8. 9.

Magistrates may repress unlawful games.

6 If the Maiors, Sherifes, Bailifes, Constables, and other head Officers within their Citties, boroughs, and townes, aswell within franchises

Officers shall make search where unlawful games be.

Proclamation
of this statute.

as without, do not make due search weekly, or at y^e furthest once every moneth if the case so require, in all places, where any houses, allyes, plaies, or places of unlawfull games shall be suspected to be had and maintained, and do not execute the statute in all things, according to the purport of the same: Then every such Maior, or other head Officer, shall forfeit for every moneth, not making such search, nor executing the same, xl.s. And all Maiors, Bailifes, Sherifes, and other head Officers, shall once every quarter, make Proclamation of this statute in every Market holden within their severall iurisdiction. And in like sort shall the Iustices of Assise, gaole delivery, and peace, in their severall Circuites and Sessions before them holden, to the intent every person may have knowledge of the same. 33.H.8.9.

Who shall have
the forfeitures.

7 Where any forfeiture given by this statute provided for the maintenance of Artillery, and debarring of unlawfull games, shall be found in any franchise, leete or lawday, the Lord of the same shall have the one moiety thereof, and any of the D. subjects, shall have the other that will sue for the same in any of the Queens Courts. And where such forfeiture shall be found out of the precinct of any franchise, leete, or lawday, the one moiety thereof shall be to the D. and the other to any of her subjects that will sue for the same, by A. J. &c. wherein no M. C. P. &c. But all informations, actions, suites &c. that shall be sued upon any part of this statute, shall be commenced within the yere after the offence committed, or otherwise no advantage thereof shall be taken. 33.H.8.9.

That all suites to be commenced vpon this statute shall be at the Assises, quarter Sessions, or in the Leete, S. Actions populer i r.

Poore people.

The helpe and
speed of poore
persons in suit.

Every poore person which shall have cause of action against any other, shall have by the discretion of the Chaunceloz, writs Originall, and writs of Subpena, according to the nature of his cause, nothing paying to the Queene for the seales of the same, nor to any person for the writing of the same writs. And the said Chaunceloz shall assigne such of the Clerkes, which shall use the making and writing of the same writs, to write the same ready to be sealed, and also learned Counsell and Atturneys for the same, without any reward taking therefor. And after the said writs be returned, if it be before the Queene in her Bench, the Iustices there shall assigne to y^e same poore person counsel learned by their discretions, which shall give their counsell nothing taking for the same. And in likewise the Iustices shall appoint Atturneys for the same poore person, and all other Officers requisite to be had for the speede of the said suits, which shall do their duties without any rewards for their Counsels, helpe, & businesse in the same, And the same Lawe and order shall be observed of all such suits to be made before the Queenes Iustices of her Common place, and Barons of her Eschequer, and all other Iustices in Courtes of Recorde, where

where any such suites shall be, 11. Hen. 7. 12.

2 The Churchwardens of euery Parish, and foure substantiall house-
holders there being Subsidie men, or for want of Subsidie men, fower
other substantiall householders of the said Parish, who shall be nomina-
ted perely in Easter weeke, vnder the hand and Seale of two or more Ju-
stices of the peace in the same Countie, whercof one to be of the Quorum,
dwelling in or neere the same Parish, shall be called Ouerseers of the
pooze of the same parish, and they, or the greater part of them shal take or-
der from time to time, by, and with the consent of two or more such Ju-
stices of peace, for setting to worke of the childezen of all such, whose pa-
rents shall not by the said persons be thought able to keepe and maintaine
their childezen, and also all such persons married or vnmarrried, as hauing
no meanes to maintaine them, vse no ordinarie & daily trade of life to get
their liuing by, and also to raise weekly or otherwise (by taxation of eue-
ry inhabitant and euery occupier of landes in the said parish in such com-
petent summe and summes of money as they shall thinke fit) a conuenient
stocke of flaxe, hempe, wooll, threed, Iron, and other necessarie ware and
stuffe to set the pooze on worke, and also competent summes of money,
for, and towarde the necessarie reliefe of the lame, impotent, elde,
blind, and such other among them being pooze, and not able to worke, and
also for the putting out of such childezen to be appzenticies, to be gathered
out of the same parish, according to the abilitie of the said parish, and to
doe and execute all other things, as well for the disposing of the said stock,
as otherwise concerning the pzeimisses, as to them shall seeme conueni-
ent : which said Churchwardens and Ouerseers so to be nominated, or
such of them as shall not be let by sicknes or other iust excuse, to be allow-
ed by such two Justices of peace or more, shall meet together at the least
once euerie moneth in the Church of the said parish, vpon the Sunday in
the afternoone, after diuine seruice, there to consider of some good course
to be taken, and of some meete orders to be set downe in the pzeimisses, and
shall within foure daies after the end of their yere, and after other Ouer-
seers nominated as aforesaid, make and yeeld vp to such two Justices of
the peace, a true and perfect accompt of al such summes of money by them
receiued, or rated and cessed and not receiued : and also of such stocke as
shall be in their hands, or in the hands of any of the pooze to worke, and
of all other things concerning their said office, and such summe or summes
of money as shall be in their hands, shall pay and deliuer ouer to the sayd
Churchwardens and ouerseers newly nominated and appointed as afoze-
said, vpon paine that euery one of them absenting themselves without law-
full cause as aforesaid, from such monthly meeting for the purpose afoze-
said, or being negligent in their office, or in the execution of the orders a-
foresaid being made by, and with the assent of the said Justices of peace to
forfait for euery such default xx.s. 39. Eliz. 3.

The Church-
wardens and 4
householders
Ouerseers of
the pooze.

The ouerseers
duety.

The ouerseers
accompt.

The ouerseers
forfaiture.

Poore people.

A prouision
where the inha-
bitants are not
able to relieue
their poore.

3 If the said Iustices of Peace doe perceiue that the inhabitants of any parish are not able to leuy among themselves sufficient summes of money for the purposes aforesaid, Then the said Iustices shall, and may, take, rate, and asseſſe, as aforesaid, any other of other parishes, or out of any parish within the hundred where the said Parish is to pay such summe and summes of money to the Churchwardens and ouerseers of the said poore parish, for the said purposes, as the said Iustices shall thinke fit, according to the intent of this Law. And if the said hundred shall not be thought to the said Iustices, able and fit to releiue the said seuerall parishes, not able to prouide for them selues as aforesaid, then the Iustices of peace at their generall quarter Sessions, or the greater number of them, shall rate, and asseſſe as aforesaid, any other of other parishes, or out of any parish within the said Countie, for the purposes aforesaid, as in their discretion shall seeme fit. 39. Eliz. 3.

A remedy for
the leuying of
money asseſſed.

4 And it shall be lawfull for the said Churchwardens and ouerseers, or any of them, by warrant from any two such Iustices of peace, to leuie as well the said summes of money, of euery one that shall refuse to contribute according as they shall be asseſſed, by distresse & sale of the offenders goods, as the summes of money, or stocke which shall be behind vpon any accompt to be made as aforesaid, rendring to the partie the ouerplus, and in defect of such distres, it shall be lawfull for any such two Iustices of peace, to commit him to prison, there to remaine without baile or mainprise, til paiment of the said summe or stock. And the said Iustices of peace or any one of the, to send to the house of correction such, as shall not imploy them selues to worke, being appointed thereunto as aforesaid. And also any two such Iustices of peace, to commit to prison euery one of the said Churchwardens & ouerseers, which shall refuse to accompt, there to remaine without baile or mainprise, till he haue made a true accompt, and satisfied and paid soe much as vpon the said accompt shall bee remaining in his handes. . 39. Elizab. 3.

Imprisonment
in default of di-
stres.

The puniſhe-
ment of those
which will not
worke.

The ouerseers
may bind chil-
dren apprentices

5 It shall be lawfull for the said Churchwardens and ouerseers or the greater part of them, by the assent of any two Iustices of the peace, to bind any such childe as aforesaid, to be apprentices, where they shall see conuenient, till such manchild shall come to the age of xiii. yeres, and such woman child to the age of xxi. yeres. The same to be as effectual to all purposes, as if such child were of full age, and by Indenture of couenant bound him or her selfe. 39. Eliz. 3.

Building of
houses on the
wast for the
poore to inha-
bit.

6 It shall and may be lawfull for the said Churchwardens and Ouerseers or the greater part of them, by the leaue of the Lord or Lords of the Manor, whereof any wast or common within their parish is or shall be parcel, and vpon agreement before with him or them made in writing, vnder the hands and leales of the said Lord or Lords, or otherwise, according to any order to be set downe by the Iustices of peace of the said Countie, at their

their generall quarter Sessions, or the greater part of them, by like leaue and agreement of the said Lord or Lordes in wytyng vnder his or their hands and seales, To erect, build, and set vp in fit and conuenient places of habitation, in such wast or common, at the general charges of the parish, or otherwise of the Hundred or Countie as aforesaid, to be taxed, rated, and gathered in maner and forme befoze expressed, conuenient houses of dwelling for the said impotent poore, and also to place Inmates, or more families then one in one cottage or house, One act made in the xxii. yere of her Maiesties raigne intituled, An Act made against the erecting and maintaining of Cottages, or any thing therein contained to the contrary notwithstanding. 39. Eliz. 3.

7 Provided alwaies that if any person or persons shall find themselves grieved with any cesse or tare, or other act done by the said Churchwardens, and other persons, or by the said Iustices of peace, That then it shall be lawfull for the Iustices of peace at their generall quarter Sessions or the greater number of them, to take such order therein as to them shall be thought conuenient, And the same to conclud and bind all the said parties. 39. Eliz. 3.

A remedy for the which find themselves grieved for any tax for the poore.

8 The Parents of children of euery poore, old, blind, lame, and impotent person, or other poore person not able to worke, being of a sufficient ability, shall at their owne charges, relieue and maintaine euery such poore person in that maner, & according to that rate, as by the Iustices of peace of that Countie where such sufficient persons dwell, or the greater number of them, at their generall quarter Sessions shal be assessed, vpon paine that euery one of them to forfait, xx.s. for euery moneth which they shall faile therein. 39. Eliz. 3.

Poore relieved by their parents or children.

9 The Maiors, Bailifes, or other head Officers of euery corporate Towne within this Realme, being Iustice or Iustices of peace, shal haue the same authoritie by vertue of this Act, within the limits and precincts of their corporations, aswell out of Sessions, as at their Sessions as is herein limited, prescribed and appointed to any of the Iustices of the peace of the Countie, for all the vses and purposes in this Act prescribed, and no other Iustice of peace to enter or meddle here. 39. Eliz. 3.

Head officers of corporate townes haue authoritie of Iustices of P.

10 If it shall happen any parish to extend it selfe into more Counties then one, or part to lie within the liberties of any City, or Towne corporate, and part without, then aswell the Iustices of peace of euery countie, as also the head Officers of such Citie or towne corporate, shall deale and intermeddle onely in so much of the said parish as lyeth within their libertie, and not any further. 39. Eliz. 3..

A parish within two Counties or part lying within a liberty, and part without.

11 From the first day of Nouember next ensuing the end of this Session of Parliament, no person or persons whatsoever, shall goe wandring abroad and begge in any place whatsoever, by licence or without, vpon paine to be esteemed, taken, and punished as a Rogue. Provided alwaies that

None shal beg.

Poore people.

Asking of victu-
als in the
same parish by
licence of the
Overseers.

that this present Act shall not extend to any poore people, which shall aske reliefe of victuals only in the same parish where such poore people do dwell, so the same be in such time onely, and according to such order and direction, as shall be made and appointed by the Churchwardens and Overseers of the poore of the same parish according to the true intent and meaning of this act. 39. Eliz. 3.

How the forf.
shall be leuied
and employed.

12 All penalties and forfeitures before mentioned in this Acte shall goe and be employed to the use of the poore of the same Parishes, and towards a stocke and habitation for them, and other necessarie uses and reliefe, as before in this Act are mentioned and expressed, and shall be leuied by the said Churchwardens and Overseers, or one of them, by warrant from any two such Justices of peace, by distresse and sale, as aforesaid, or in defect thereof, it shall be lawfull for any two such Justices of peace to commit the offender to prison, there to remaine without bayle or mainprise, till the said forfeitures shall be satisfied and payed. 39. Elizab. 3.

The Justices
shall rate every
parish to a week-
ly summe of
money.

13 And forasmuch as all begging is forbidden by this present Act, the Justices of peace of every Countie or place corporate, or the more part of them in their generall Sessions to be holden next after the ende of this Session of Parliament, or in default thereof, at the quarter Sessions to be holden, about the feast of Easter next, shall rate euery Parish to such a weekly summe of money, as they shall thinke conuenient, so as no parish be rated aboue the summe of sixe pence, nor vnder the summe of an halfe peny, weekly to be paid, and so as the totall summe of such taxation of the Parishes in every Countie, amount not aboue the rate of two pence for euery parish in the said Countie, which summes so taxed, shall be verely assessed by the agreement of the parishioners within themselves, or in default thereof by the Churchwardens and Constables of the same parish or the more part of them, or in default of their agreement, by the order of such Justice or Justices of peace as shall dwell in the same parish, or (if none be there dwelling) in the parts next adioyning: And if any person shall refuse or neglect to pay any such portion of money so taxed, it shall be lawfull for the said Churchwardens and Constable, or in their default, for the Justices of peace to leuie the same by distresse, and sale of the goods of the party so refusing or neglecting, rendering to the party the ouerplus, and in default of such distresse, it shall be lawfull to any Justice of that limit, to commit such persons to prison, there to remain without baile or mainprise, till he haue paid the same. 39. Eliz. 3.

Refusing to
pay the money
taxed.

14 The said Justices of peace at their generall quarter Sessions to be holden at the time of such taxation, shall set downe what competent summe of money shall be sent quarterly out of euery Countie or place corporate, for the reliefe of the poore prisoners of the Kings Bench and Marshalsey, and also of such Hospitals and Almes houses, as shall be in the said Countie,

rie, and what summes of money shall be sent to euery one of the said Hof-
pitals and Almes houses, so as there be sent out of euery Countie yeerely
twentie shillings at the least, to the said prisoners of the kings Bench and
Marshallsey, which summes ratably to be assessed vpon euery Parish, the
Churchwardens of euery Parish shall cruelly collect and pay ouer to the
high Constable, in whose diuision such parish shalbe situate from time
to time quarterly ten daies befoze the end of euery quarter: And euery such
Constable at euery such quarter sessions in such countie shal pay ouer the
same to two such Iustices of peace, or to one of them, as shall be by the
more part of the Iustices of peace of the Countie, elected to be Treas-
urers, of the said collection, which Treasurers in euerie Countie so cho-
sen, shall continue but for the space of one whole yere, and then giue vp
their charge with a due accompt of their resceites, and disbursenments at
their meeting in the Quarter Sessions to be holden after the feast of
Easter in euery yere, to such others as shall from yere to yere in forme
aforesaid, successiue be elected, which said Treasurers or one of them,
shall pay ouer the same to the Lord chiefe Iustice of Englande, and
Knight Marshall for the time being, equally to be deuided for the vse
aforesaide, taking their acquitances for the same, or in default of the
said chiefe Iustice, to the next auncient Iustice of the Kinges Benche,
as aforesayd. And if any Churchwarden, or high Constable, or his execu-
tours or administratours, shall faile to make payment in fourme afoze
specifyed, then euery Churchwarden his executours or administratours
so offending, shall forfait for euerie time the summe of ten shillings,
and euerie High Constable his Executours or Administratours, shall
forfait for euerie time the summe of twentie shillings, the same for-
faytures togither with the summes behinde to be leuyed by the sayde
Treasurer and Treasurers, by way of distresse, and sale of the goods
as is aforesayde, in fourme aforesayde, and by them to bee imploy-
ed, towards the charitable vles compyled in this Acte. 39. Eli-
zabeth 3.

Reliefe of the
prisoners in the
kings Bench,
Marshallsey,
Hospitals.

Two Iustices
of peace Treas-
urers,

Chiefe Iustice
of Englande,
Knight Mar-
shall.

Churchwarden
or high Con-
stable failing
of payment,

15 All the surplusage of money which shall bee remayning in the
said stocke of any Countie, shall by the discretion of the more part of
the Iustices of peace in their Quarter Sessions be ordered, distribu-
ted and bestowed, for the reliefe of the poore Hospitals of that Coun-
tie, and of those that shall sustaine losses by fyre, water, the Sea, or o-
ther casualties, and to such charitable purposes for the relief of the poore,
as to the more part of the said Iustices of peace shall seeme conuenient.
39. Eliz. 3.

How the sur-
plusage shalbe
bestowed.

16 If any Treasurer shall wilfully refuse to take vpon him the sayd
Office of Treasurership, or refuse to distribute and giue reliefe according
to such fourme as shall be appointed by the more part of the said Iusti-
ces of peace, Then it shall be lawfull for the Iustices of peace in their
quarter

Refusing to be
Treasurer or
to giue the re-
liefe appointed

Prerogatiue.

quarter Sessions, or in their default for the Iustices of Assise, at the Assises to be holden in the same Countie, to fine the same Treasorer by their discretion: the same fine to be leuied by sale of his goods, and to be prosecuted by any two of the said Iustices of peace whom they shall authorize. 39. Eliz. 3.

In what cases
a Souldier or
Seafaring mā
may aske reliefe

17 Provided alwaies neuerthelesse, that euery Souldier being discharged of his seruice, or otherwise lawfully licensed to passe into his countrey, and not hauing wherewith to reliefe himselfe in his trauels homewards, and euery Seafaring man landing from Sea, not hauing wherewith to reliefe himselfe in his trauels homewards, hauing a Testimoniall vnder the hand of some one Iustice of peace, of or neere the place where he landed or was discharged, setting downe the place and where and when he landed or was discharged, and the place of the parties dwelling or birth, vnto which he is to passe, and a conuenient time therein to be limited for his passage: shall and may without incurring the danger or penaltie of this Act, in the vsuall waies, directly to the place vnto which he is directed to passe, and within the time in such his Testimoniall limited for his passage, aske and receiue such reliefe as shall be necessarie, in, and for his passage, This Act or any thing therein contained to the contrarie notwithstanding. 39. Eliz. 3. Provided alwaies that this Act shall endure no longer then to the end of the next Session of Parliament.

1 That any man may giue land holden in Socage, for the maintenāce of houses of Correction, or for any stockes of poore people, See Mortmaine 10.

2 That a beggers child may be taken apprentice. S. Laborers 31.

Prerogatiue.

Wardship.

The Queenes Maiestie by her Prerogatiue Roiall, shall haue the Wardship of all their lands, which hold of her in chiefe by Knightes seruice, whereof the tenants where seised in their demesne, as of fee, the day of their death, of whomsoever they hold by like seruice, so that they held of ancient time any land of the Q. as of her Crowne, vntill the heire come vnto his lawful age, except the fees of the Archbishop of Canterbury, the Bishop of Durham, betweene Tyne and Tees, fees of Earles, and Barons of the Marches, of landes in the Marches, where the Queens writs doe not lie, and whereof the said Archbishop, Bishop, Earles, and Barons haue had the Wardship, though otherwise they held of the Queene Prerog. Reg. 17. Ed. 2. 1. S. Wards 17.

Mariage.

2 Also she shall haue the mariage of an heire being within age, and in her custodie, whether the land of such heire haue of auncient time bin holden of the Crowne, or that it came by reason of Escheate, being in the Q. handes, or that she hath the mariage by reason of the ward of the Lord of such heire, without respect of the Prioritie of feoffment, although the heire held of others. 17. Ed. 2. 2.

3 Also

3 Also she shall haue primer seisin after the death of those which hold Primer seisin. of her in cheefe, of all the lands and tenements, whereof they were seised in their demesnes as of fee, of what age soeuer their heires be, by taking the issues of the same lands, vntill inquisition be made as the custome is, and that she hath receiued the homage of such heires. 17. Ed. 2. 3. Marleb. 52. H. 3. 16.

4 Also she shall assigne to widowes, after the death of their husbandes The Queenes widowes. that held of her in chiefe, the dower that to them belongeth, though the heire be of full age, if the widowes wil. And such widowes befoze assignement of Dower shall swear, that they shall not marrie without the Queens licence, whether their heire be of full age or not, and if they doe marry themselves without the Queenes licence, then the Q. shall take into her hands by way of distresse, all such lands as they hold of her in dower, vntill she be satisfied at her pleasure, so that the woman shall take nothing of the issues, for after such distresse, they or their husbands must make fine to the Q. at her pleasure, which fine in auncient time, was one yerres value of her Dower, vnlesse she found the greater fauour. And also women that hold of the Queene in chiefe, of what age soeuer they be, shall swear that they shall not marrie themselves without the Queenes licence, and if they do, their lands shall be taken in like maner into the Queenes hands, vntill she be satisfied at her pleasure. Mag. charta 9. H. 2. 7. 17. Ed. 2. 4. And the Master of the Queenes Wardes and Liueries, by the aduise of the Atturney, Receiver generall, and Auditors of the same Court, or thre of them, haue authoritie to suruey all the Q. widowes, and to common and conclude with euery of them, which shall marrie themselves without the Queens licence, for their reasonable fines to be made to the Queenes vse, and to tare and assesse the same by their discretion, according to the foresaid statute of Prerog. Reg. 32. H. 8. 46.

5 If a woman befoze the death of her auncetter that holdeth of the Q. Women tenants. in Chiefe, be married befoze she be marriageable, then the Q. shall haue the wardship of the bodie of the same woman, vntill she be of age able to consent, and then she may choose whether she will haue him to whom she was first married, or him that the Queene will offer her. 17. Ed. 2. 6.

6 If an inheritance which is holden of the Queene in chiefe do dissend Coparceners. to seuerall coparceners, then all the heires shall do homage to the Q. and the same inheritance so holden of the Queen shall be deuided amongst these heires in such sort, that euery of them after that shall hold their part of the Queene. 17. Ed. 2. 5. Statut Hibernie.

7 None which holdeth of the Queene in Capite by Knights seruice, Alienation without licence may without the Queenes licence, alien the greater part of his landes in such sort, but that the residue may be sufficient, to do his seruice, But this had not wont to be intended of smal members & parcels of the same lands. Magna charta 9. H. 3. 32. 17. Ed. 2. 7.

Tenure by
sergeantie.

8 If any which holdeth his lands of the Queene by sergeantie, doth alien the same without the Queenes licence, he shall pay therefore a reasonable fine. 17. Ed. 2. 7. But by the stat. 1. Ed. 3. 12. the same lands shall not be forf. to the Queene by such alienation. And by the stat. 9. H. 3. 31. & 1. Ed. 3. 13. and 1. Ed. 6. 4. He that holdeth of the Queene, as of any honors, castles, manors, lands, &c. being in her hands, by reason of any newe escheat to the crowne, or by attainder, conuiction, outlawry, or by dissolution of any religious house, or by purchase, doth not hold of her Grace in Capite, neither shall he doe other seruices, then if the same manors &c. were in other mens hands.

Lapse.

9 If other men doe present to Churches being voide, the aduowsons whereof belong to the Queene, whereupon debate riseth betweene the Q. and the others. If the Q. by award of the Court, doe recouer her presentation, though it be after the lapse of sixe moneths from the time of the auowdance, no time shall preiudice her, so that she present within the space of 6. moneths. 17. Ed. 2. 8.

Ideots.

10 The Queene shall haue the custody of the lands of naturall fooles, and take the profit thereof, without any wast or destruction. And shall find to them things necessary, of whose fees soeuer the same lands be, and after the death of the same fooles, she shall render the same landes to the right heires, so that such Ideot shall not alien, nor their heires be disinherited. 17. Ed. 2. 9. The master of the Queenes Wardes and liueries, by the aduice of the Atturney, Receiuer general, and Auditors of the same court, or iii. of them, hath authoritie to suruey, gouerne, & order all Ideots and naturall fooles, and their manors, lands, tenements, and other hereditaments being in the Q. hands, or in the hands of any other person or persons to their vses or to the vse of any of them, & to let & set the manors, lands, &c. to the Queenes vse for the time of her interest, for such rent & fine, as by their discretion shall be thought good, the finding & keeping of the said persons, their wiues and children, and the reparations of their houses and landes alwaies to be considered. 32. H. 8. 46.

Limatike.

11 Also the Q. shall provide that when any that befoze time hath had his memorie and vnderstanding, shall become bestraught, and to faile of his wit (as certaine doe Per lucida intervalla) that their lands and tenements shall be safely kept, without wast or destruction, and that they & their familie shall liue and be conveniently maintained with the profits thereof, and that the residue besides their maintenance, shall be kept to their vse, and be deliuered vnto them when they come to their perfect memory, so that such lands & tenements, shall not be aliened within the same time, neither shall the Q. take any thing to her owne vse, And if the partie die in such estate, then the residue shall be distributed for his soule by the aduice of the Ordinarie. 17. Ed. 2. 10.

Wrecke of the
Sea.

12 The Q. shall haue the wreck of Sea, through the Realme: Whales and

and Sturgions taken in the sea, or elsewhere within the realme, except in certaine priuiledged places. 17. Ed. 2. 11.

13 When any person which holdeth of the Queene in Capite dieth, & his heire doth enter into the land that his auncestor held of the Queene the day of his death, befoze he hath done homage to her grace, and receiued of her seisin, he shall thereby gaine no freehold, and if he die seised during that time, his wife shall not be endowed of the same land. But this is not meant of Socage and small tenures. 17. Ed. 2. 13.

Intrusion.

14 The Queene shall haue Escheates of the Landes of Archbishops, and Bishops freeholders, when such Tenants be attainted of Felonie, committed in time of vacation, whilest their temporalties were in the Queenes handes, to bestow in what sort it shall please her. Saving to such Prelates, the seruice that to them is due and accustomed. 17. Ed. 2. 14.

Escheats in time of vacatio

15 When the Queene giueth or graunteth to any person a manor, or land with the appurtenances, without she make expresse mencion, in her deed or wryting of Knights fees, aduowsons of churches, & dowers, when they fall, belonging to such manors, or lands, then the Q. reserueth to herselfe such fees, aduowsons, & dowers, though amongst other persons there be no such reseruacion. 17. Ed. 2. 15.

Knights fees,
Aduowsons,
Dowers.

15 The Queene shall haue the goods of all felons which be condemned, and which be fugitiue wheresoeuer they be found, and if they haue any freehold, it shall forthwith be seised into the Queenes handes, and the Queene shall haue the profits thereof by the space of a yere and a day, and the land shall be wasted and destroyed in the houses, woods, and gardenes, and in all things belonging to the same (except men of certaine places priuiledged.) And after the Queene hath had the yere, day, and wast, the land shall be restored to the chiefe Lord of the same fee, vntil that befoze hee redeeme the same yere, day, and wast of the Queene, by payment of a fine. But there is a custome in the Countie of Gloucester, that after a yere and day, the landes and tenements of Felons in that Shire, shall reuert and be restored to the next heire, to whom they ought to haue descended, if the Felony had not bin committed. And in Kent, in Gauekind, (the father to the Bough, the sonne to the Plough) there all the heires males shall diuide their inheritance, and likewise women. But women shall not make partition with men. And a woman after the death of her husband shall be endowed of the moitie. And if a woman commit fornication in her widowhood, or take any husband, shee shall lose her dower. Prerog. Regis. Anno 17. Ed. 2. 16.

Felon's goods.

Annum, dies,
& vastum.

Gloucester.

Gauekind.

17 No person or persons shall haue authoritie to pardon any Treasons, murders, manslaughteres, or felonies, or any accessaries to the same, or any Outlawries for any such offences committed &c. or to make any Iustices of Oyre, Iustices of Assise, Iustices of peace, or Iustices of gaole

None may
pardon felons,
or make Iustices but the Q.

reli.

Preacher, and Preachings.

deliuery, but onely the Queenes Maiestie, her heires and successors, kings and Queenes of this Realme, which haue the same whole and sole power united to the Imperiall Crowne of this Realme. And all such Iustices, Officers &c. shalbe made by letters patents vnder the Queens great seale in her name, and by the authozity of her, and her heires, &c. in all Counties within any of her dominions. 27. H. 8. 25.

All writs made
in the Q. name

18. All original and iudiciall writs, and all indictments of treason, felony and trespassse, and all maner of proces to be made vpon the same in euery County Palantine, and other liberties within England, Wales, or the Marches thereof, shall be made onely in the name of the Queene, and her heires, Kings or Queenes of England. And euery person hauing such County Palantine, or other libertie to make such originals, iudicials, or other proces of Iustice, shall make the Teste in the said writs, in the name of the same person or persons that haue such Countie Palantine, or liberties 27. H. 8. 25.

Writs of In-
dictments
contra pacem.

19. Euery writ and indictment that shall be made within any Countie Palantine or liberty, whereby it shall be supposed any thing to be done against the Queens peace, shalbe made and supposed to be done against the Queenes peace her heires and successors, and not against the peace of any other person, &c. 27. H. 8. 25.

Fines and for-
feitures of bat-
tles and stew-
ards.

20. The Queene, her heires and successors, Kings or Queenes of this realme, shall haue all fines, issues, amerciaments, and forfeitures, that shall be lost, forfeited, or assessed, by or vpon any stewards, bailifes, or other Officers, of any Franchises or Liberties, for non execution, or misexecution, or insufficient returnes of such writs, warrants, precepts, or other proces which to any of them, or to any their deputies shall be directed, or for any contempt, or other misdoemeanour concerning their offices, in and for the due execution or administration of Iustice, any graunt allowance, or other thing &c. notwithstanding. 27. H. 8. 25.

Preacher, and Preachings.

Disturbance of
a preacher in
the time of his
Sermon.

If any person of his owne authozitie, shall willingly, and of purpose by open wordes or deede, maliciously, or contemptuously disturbe, or by any other unlawfull wayes disquiet or misuse anie Preacher allowed to Preach by the Queene, or by anie Archbishop, or Bishop of this Realme, or by any other lawfull Ordinarie, or by any of the Universities of Oxforde and Cambridge, or otherwise lawfully authorized or charged by reason of his cure, benefice, or other spirituall promotion or charge, in his open Sermon, Preaching, or Collation, that he shall preach or pronounce in any Church, Chappel, or Churchyard, or in any other place vsed or appointed: then euery such offendor, his aidors, procurers, or abbettozs, immediatly after any of the said misdoemeanors committed, or at any time after, shalbe arrested by any Constable or Churchwarden of the said parish, towne, or place, where the said offence shalbe so

commit-

committed, or by any other officer, or by any other person then being present at the time of the said offence, and caried to any Justice of Peace within the said Shire, or within any Citie, Borough, Libertie, or Towne corporat, wherein Justices of peace be, where the said offence shall be so committed, and the said Justices vpon due accusations thereupon made by the Apprehender, or other person, of the offender, forthwith shall commit him to safe keeping, and within sixe daies immediatly after the said accusation so made, the said Justice with one other Justice of peace within the Shire, Citie, Borough, Libertie, or Towne corporat, shall diligently examine the offence aforesaid. And if the said two Justices shall vpon their examination find the person so accused guiltie of any of the said offences, whereof he shall be accused, and that by two sufficient witnesses, or by his confession, then they shall commit him to the gaole of the said Shire, Citie, Borough &c. where the offence was committed, there to remaine without bayle or mainprise by the space of three monethes then next insuing, and further to the next quarter Sessions &c. at which Sessions, the said person vpon his reconciliation and repentance before the said Justices at the said Sessions, shall be deliuered out of prison vpon sufficient suretie of his good abearing and behauiour, to be then and there taken by the said Justices for one whole yeere then next insuing, as by the discretion of the said Justices then and there being, or of the moze part of them shal be thought conuenient. And if the said person will not be reconciled and repent at the said quarter Sessions, then he shall be further committed to the said Gaole by the said Justices, there to remaine without bayle or mainprise, vntill he shall be reconciled and be penitent &c. 1. M. 3.

2 If any person or persons of their owne authorizty, willingly and lawfully doe rescue any offender so apprehended, or will disturbe the said offender to be apprehended, then euery one of the said rescuers or disturbers shall suffer like imprisonment as is aforesaid, and further shal pay for euery of his offences v.li. to the Queene. 1. M. 3.

Rescuing the offender, or disturbing the arrest.

3 If any of the offenders aforesaid be not apprehended in time conuenient, but doe escape, then the said escape shall be lawfully presented before the Justices of peace at the next quarter Sessions &c. and the inhabitants of the parish where the said escape was suffered, shall forf. to the Queene &c. for euery such offence v.li. to be leuied and taken as other like amerciaments and fines bin leuied vpon any Village, hundred, or towne for the escape of any murtherer, or other Felon, for not making pursuite vpon hue and crie, according to the Statute of Winchester, and the Statute of 3. M. 7. 1. M. 3.

The punishment of the Towne where the offender doth escape.

4 This act shall not extend to take away the authoritie and punishment of the Ecclesiastical Lawes standing in force for the punishment of any the offences aforesaid. But they shal be vsed in euery thing as though

Punishment by the Ecclesiastical lawes.

Premunire, Prouision.

But once puni-
shed for one of-
fence.

This act had neuer bin made. 1. M. 3.

5. Whatsoeuer person offending in the premisses, shall for any the of-
fences afoze recited, receiue punishment of the Ordinary, hauing testimo-
niall thereof vnder the said Ordinaries seale, shall not for the same of-
fence eftsoones be conuicted befoze the Iustices. Et e conuerso, 1. M. 1.
parl. 3. S. Arrests 1.

Premunire, Prouision.

Premunire by
reason of suit in
a fozein realm,
or in impeach-
ing iudgements
giuen in the
D. Court.

IF any of the Queenes people do draw any man out of the Realme in
suite for any cause, the cognisance whereof pertaineth to the Queenes
Court, or for any thinges whereof there is iudgement giuen in the
Queenes Court, or do sue in any other Court to defeat or impeach the
iudgement giuen in the Queenes court, they shall haue day contayning
the space of two monethes by warning to be giuen to them, in the place
where the possessions be, which be in debate, or some where else, where
they haue landes or other possessions, by the Shirife or other of the
Queenes officers, to appeare befoze the Queene and her Counsell, or in
her Chauncerie, or befoze her Iustices of the one Bench, or the other, or
befoze other of the Queenes Iustices which shall be thereunto appointed,
to answer in their proper persons to the Queene of their contempt in
this case committed, and if they come not at the said day in their owne
proper persons to answer and stand to the Law, they, their procura-
tors, atturneys, executors, notaries, and mainteinors, shall from the same
day be put out of the Queenes protection, and their landes, goods, and
cattels shal be forfeited to the Queene, and their bodies wherfozeuer they
be found, shall be punished at the Queenes pleasure. And a writt shall be
awarded to appzehend their bodies, and to seile their landes, goodes, and
possessions into the Queenes handes. And if it be returned that they can-
not be found, they shall be put in Exigent and outlawed. But at whatso-
euer time they will come befoze they be outlawed, and will render them-
selues to the Queenes prison, to be iustified by the law, and to receiue that
which the Queenes court in this behalfe shall award, they shall be there-
unto receiued; yett shall the forfeiture of the lands, goods, and cattels re-
maine in his force, if they doe not yeld themselves within the two mo-
nethes as is afozesaid. 27. Ed. 3.

Taking bene-
fices of Aliens.

2. None of the Queenes liege people nor other person, shall take with-
in England, procuracie, letter of Atturney, ferme, or other administra-
tion, by Indenture, or in other maner, of any person of the world, of any
benefice within the said Realme, but onely of the D. liege people of the
same Realme, without the speciall grace and expresse licence of the D. by
the aduise of her Councell. Nor any of the said liege people, or other that
may be found in the said Realme shall conuey by vertue of such procura-
cie, ferme, or administration, gold, siluer, or other treasure, or commoditi
out of the said Realme, by letter of exchange, by marchandise, or in any
other

Conueying of
commodities
to Aliens.

other maner whatsoeuer, to the profite of the said Aliens, without the like licence: and if any do the contrarie in any point, he shall incurre the punishment contained in the foresaid statute of 27. E. 3. and by the same proccesse compysed in the said statute, shall be warned in their benefices, or their other possessions within the Realme. And if they be out of the Realme, and haue no benefices, nor possessions within the Realme where they may be warned, a writt shall directed out of the Chauncerie to the Shirifes of London, or to the Shirife of the Countie where they were borne, at the Queenes suit, returnable into the one Bench, or the other, by the which writt commaundement shall be giuen, that proclamation shall be openly made, that they shall be before the Iustices in the Bench where the writt is returnable at a certaine day compysed in the said writt, containing the space of halfe a yeere, to make answer to the matters compysed in the said writt, and this writt being returned, the Iustices shall proceed against them in forme aforesaid. 3. R. 2. 3. 7. R. 2. 12.

3 No Bishop, or other Ecclesiasticall person through the Realme, shall meddle by the way of Sequestration, or in any other maner with the frutes of such benefices, giuen to such Aliens, or to the profite of Aliens. 3. R. 2. 3. 7. R. 2. 12.

No sequestration of Aliens benefices.

4 If any Alien doth purchase any benefice of the Church dignitie, or other thing, and in his owne proper person doth take possession thereof, or doth occupie it within the Realme, whether it be to his owne vse, or to the vse of any other, without the Q. speciall licence, he shall be compysed within the same statute of 3. R. 2. And moreouer he shall in all points incurre the paines and forfeitures compysed in the statute 25. Ed. 3. 22. (prouided against those which purchase in the Court of Rome prouisions, to haue Abbeyes & Priories in England) viz. he shall be out of the Queens protection, and euery man may vse him as an Enemie of the Queene and the Realme. And whosoever offendeth against him in bodie, goods, or possessions, shall be excused against all people, & shall neuer be impeached or grieved for the same, at any mans suit. 7. R. 2. 12. Sed S. 6. & Quære.

No Alien shall take a benefice without the Q. licence.

5 If any persons do purchase, or pursue, or cause to be purchased, or pursued in the Court of Rome, or elsewhere, any translations of Bishops, Proces, sentence of Excommunication, Bulles, Instruments, or other things whatsoeuer, which doe touch the Queene, or which be against her, her Crowne and Regaltie, or her Realme, they which bring the same within the Realme, or do receiue them, or make thereof notification, or other execution whatsoeuer, within the Realme, or without, their notaries, procuratozs, mainteinozs, abbettozs, fauozers, and counsellers, shall be put out of the Queenes protection, and their lands and tenements, goods and cattels shall be forfeited to the Q. And they shall be attached by their bodie (if they may be found) & brought before the Q. and her Counsell, to answer in foresaid causes, or els proces shall be directed against

Quære.

Bulles or instruments from Rome.

Premunire, Prouision.

Treason.

them by Præmunire facias, 16.R. 2. 5. But to obtaine from the Bishop or See of Rome any maner of Bull, writing, or Instrument written or printed, containing any thing, matter, or cause whatsoever, or to publish, or by any meanes to put in vze any such Bull, writing, or Instrument, it shall be adiudged to the offenders, their procurators, abettors, and counsellors to the fact, and committing of such offence, high Treason. 13. El. 2. S. Rome 2.

Quære.

By which Statute of 13. El. and of certaine Statutes made 23.H.8. 24.H.8. 25.H.8. 1.El. 5.El. the force of diuers other old Statutes provided for the punishment of offences by Prouision or Premunire seeme to be taken away, sauing such which be in other titles of this Booke expressed, for that the offences which in the said old Statuts were ordeined to be punished in seuerall maners by prouision and Premunire, be now made high Treason, or other punishment appointed for them by the said new Statutes or else the vse of them is wholly extinguished by the dissolution of Monasteries, Abbeyes, Colledges, Free Chappels, &c. which were suppressed by the Statute of 27.H.8. 31.H.8. 13. 1.Ed. 6. 14. Tamen Quære.

No man shall
flea him which
is attainted in
Premunire.

6 It shall not be lawfull to any person to flea any person in any maner attainted in or vpon any Præmunire by pzetence, reason, or authoritie of any iudgement giuen vpon the same, or of any wordes or thinges contained in any statute or law of Prouision and Premunire: sauing alwaies the due execution of euery person attainted for any offence whereupon iudgement of death ought to be, and sauing euery such paine of death, or other hurt or punishment, as heretofore might without danger of law be done vpon any person that shall lend or bring into any of the D. dominions, or within the same shall execute any summons, sentence, excommunication, or other proces against any person from the Bishop or See of Rome, or the authoritie of the same. 5.El. 1.

1 Premunire for refusing to take the oath for the Queenes supream government ouer all estates. S. Queene 6.

2 Premunire by declaring by booke, worke, or scroule, who ought to be heire or successor to the Queene, being once conuicted of the said offence before. S. Queene 16.

3 Premunire by aiding or comforting an offender which shal affirme that the Queene is an hereticke, schismaticke, infidell, or vsurper, &c. S. Queene 19.

4 For giuing reliefe to him which shall commit the offence of Premunire. S. Queene 25.

5 Premunire for maintaining or setting foorth the authoritie of the Bishop, or See of Rome. S. Rome 1.

6 Premunire by aiding, comforting, or maintaining any offender after the offence, to the intent to set foorth or allow the power of the Bishop

Bishop or See of Rome. S. Rome 3.

7 Premunire by bringing, deliuering, or receiuing, and vsing any Agnus Dei, crosses, pictures, beads, or such like from Rome. S. Rome 5.

8 Premunire for not electing, nor certifying, or not admitting any Bishop elected. S. Bishop 1.

9 Premunire in a Iustice of peace, for not certifying the name of him which bringeth any Agnus dei, crosses, or pictures. S. Iustice of p. 103.

10 Prouision in Spirituall persons &c. within the Archdeaconry of Richmond in Yorkshire, for taking more for probate of Testaments then is lawfull. S. Probate of testaments 14.

11 Premunire for suing of Appeales, or for refusing to obey all things comprised in the statute provided for suing of them. S. Appeales 7.

12 That Brokers and driuers of Bargaines contrarie to the statute of 37. H. 8. provided against Vsurie, shall be punished as counsellors, attorneis, or aduocates in case of Premunire. S. Vsurie 7.

13 Premunire for molesting any person for any the lands or possessions of any Abbey, Priorie, Colledge, Chauntry, &c. S. Monasteries 31.

14 Premunire for deliuering or sending any reliefe to a Iesuit, Priest, or other remayning in any Colledge of Iesuits. S. Iesuits 5.

Prison, Prisoners, Gaole, Gaolers.

NOne shall be imprisoned by any Iustices of peace, but onely in the common Gaole: Sauing to the Lordes & others which haue gaoles, their fraunchise in this case. 5. H. 4. 10.

2 If any person shall imagine, conspire, inuent, or go about, vnlawfully, and maliciously to set at libertie any person committed to prison, ^{Enlarging one imprisoned by the Queenes commaundment.} gard, or custody, by the Queenes speciall commaundment, for any Treason, or suspicion of treason concerning her owne person, befoze any indictment of any such person so sought to be set at large, and the same conspiracies or inuentions shall by words, wrioting, or other matter set forth, or declare, then the offendor shall incurre the forfaiture of misprision of treason. And if the prisoner be indicted of the foresaid treason, then the offendor shall be adiudged a felon. And if the prisoner be attainted or convicted of the treason aforesaid, then the offendor shall be adiudged a high Traitor. 14. El. 2. to continue during the Queenes life.

3 If any keeper of prison, or vnder keeper, shall by too great dures of imprisonment and paine, cause any prisoner which he hath in his custodie, ^{A prisoner by dures becometh an approver.} to become an approver against his will, and is therof attainted, he shall be adiudged a felon. 14. E. 3. 10.

4 Euery Shirife, Bayliffe of fraunchise, and euery other person hauing authoritie of keeping of Gaoles, or of Prisoners, for felonie, shall certifie the names of euery prisoner in their keeping, and of euery prisoner to them committed for any such case, at the next generall Gaole deliuerie in euery Countie or fraunchise where any such Gaole is or shall

Probate of Testaments, and Administration.

he, there to be kalendred before the Iustices of the deliuerie of the same Gaole, whereby they may aswell for the Queene, as for the partie, proceede to make deliuerie of such prisoners according to the Lawes, vpon paine to forfeit to the Queene for euery default there recozded a hundred shillings. 3.H.7.3.

1 That no Habeas corpus shall be graunted to remoue any prisoner out of any Gaole, except it be signed with a Iustices hand of the same Court. S. Remouer 1.

2 That the Iustices of the Kinges Bench may send downe prisoners, and their Indictments to be tried in the Countrey. S. Remouer 2.

3 That prisoners goods shall not be seised by any officer, vntill he be attainted. S. Shirifes 24.

4 In what case it is Felonie for any person to breake prison. S. Felonie 15.

5 That Iustices of peace may taxe euery Parish for reliefe of prisoners. S. Poore 18.

6 Where the keeper of a prison shall be charged for not receiuing, or letting goe a prisoner offered or committed to his custodie. S. Escape 1. Statutes &c. 1. Phisition 4.

7 That Iustices of peace shall examine an offender, and put his examination in writing, before he commit him to prison. S. Iustices of p. 108.

Probate of Testaments, and Administration.

Probate of testaments where the goods exceed not C.s.

Nothing shall be demaunded, receiued, nor taken by any Bishop, Ordinarie, Archdeacon, Chaunceloz, Commissarie, Officiall, nor any other person or persons whatsoever hauing authoritie to take or receiue probacion, insinuation, or approbation of Testament or Testaments, by himselfe, or themselves, nor by his or their Registers, Scribes, Praisers, Summoners, Apparatozs, or by any other of their ministers, for the probacion, &c. of any Testament, or for writing, sealing, praising, registering fines, making of Inuentories, & giuing of acquittances, or for any other cause concerning the same, where the goods of the Testator of the said Testament, or person so dying do not amount ceerely ouer and aboue the value of an C. s. sterling, except onely to the Scribe, to haue for writing of the Probate of the testament of him deceased &c. vi. d. and for the com-

Commission of administration.

mission of administration of the goods of any man deceasing intestate, not being aboue the like value of C. s. cleere vi. d. And neuerthelesse the said Bishop, Ordinarie, or other person, shall not refuse to approue any such Testament, being lawfully tendred to him to be proued, whereof the goods of the Testator or person so dying amount not aboue the value of an C. s. so that the said Testament be exhibited to him in writing with waire thereunto affixed ready to be sealed, and that the same Testament be lawfully proued before the same Ordinarie (before the sealing) to be the true, whole, and last Testament of the same Testator, in such forme as hath

him commonly accustomed in that behalfe, 21. H. 8. 5.

2 When the goods of the Testator do amount ouer and aboue the cleere value of a £. s. and do not exceed the summe of xl. li. sterling, then no Bishop, Ordinarie, nor other person or persons whatsoeuer he or they be, hauing authoritie to take probacion &c. of any Testament by himselfe, or any his ministers, for the probacion, insinuation, and approbation of any testament or testaments, or for the registering, sealing, wryting, praising, making of Inuentories, giuing of acquittances, fines, or any other thing concerning the same, shall take, or cause to be taken of any person or persons but onely iii. s. vi. d. and not aboue, whereof to be to the said Ordinarie, for him and his ministers ii. s. vi. d. and not aboue, and xii. d. residue to the Scribe for the registering of the same. 21. H. 8. 5.

Probate of testaments where the goods exceed not xl. li.

3 Where the goods of the Testator do amount aboue the cleere value of xl. li. sterling, then the Ordinarie by himselfe, nor any of his ministers, for the probacion of any Testament, or for the registering &c. or any thing concerning the same probate, shall take of any person but only v. s. and not aboue, whereof to be to the said Ordinarie for him and his ministers ii. s. vi. d. and not aboue, and ii. s. vi. d. residue to be to the Scribe for registering of the same: Or else the scribe to be at his libertie to refuse the ii. s. vi. d. and to haue for wryting of euery ten lines of the same Testament (wherof euery line to containe in length x. inches) a penie. 21. H. 8. 5.

Probate where the goods exceed xl. li.

4 And euery such Bishop, Ordinarie, or other person hauing authoritie to take the probacion of any Testamēt, their registers, scribes, & ministers shall approue, insinuat, seale, & register the said Testaments, & deliuer the same, sealed with y^e seale of their office, to the executor or executors named in such testamēts for the summes abouesaid, & in maner & forme aboue rehearsed, with conuenient speed without any frustratorie delay. 21. H. 8. 5.

Testaments shall be sealed and deliuered in time conuenient.

5 If any person die intestate, or the Executors named in any such testaments, refuse to proue the said testament, then the Ordinarie or other person or persons hauing authoritie to take Probate of testaments, shall graunt the administration of the goods of the Testator, or person deceased, to the widow of the same person, or to the next of his kinne, or to both, as by the discretion of the same Ordinarie shall be thought good, taking suertie of him or them to whom shall be made such commission, for true administration of the goods, cattels, and debts, which he or they shall be so authorized to minister. 21. H. 8. 5.

Administration.

6 And in case where diuers persons claime the administration as next of kinne, which be equall in degree of kindred to the Testator or person deceased, and where any person only desireth the administration as next of kinne, where in deede diuers persons be in equalitie of kindred as is aforesaid: then the Ordinarie shall be at his libertie to accept any one or moe making request, where diuers do require the administration, or where but one or moe of them and not all being in equalitie of degree do make

Administration where diuers do request it.

Probate of Testaments.

How much the
Ordinary shall
take for graun-
ting admini-
stration.

Inuentory.

Denise of
lands to be
sole.

The testators
seale defaced.

Copies of
testaments or
Inuentories.

request, then the Ordinarie shall admit the widow, and him or them only making request, or any one of them at his pleasure, taking nothing for the same, vntlesse the goods of the person so deceased amount aboue the value or summe of an C. s. And in case the goods of the person so deceased amount aboue the value of a C. s. and not aboue xli. li. then he & his officers shall take only ii. s. vi. d. and not aboue. $21. H. 8. 5.$

7 The Executor and Executors named by the Testator, or person so deceased, or such other person or persons, to whom such administration shall be committed, where any person dyeth intestate, or by way of intestate, taking to him or them two such persons at the least, to whom the said person so dying was indebted, or made any legacie, and vpon their refusall or absence, two other honest persons being next of kinne to the person so dying, and in their default or absence, two other honest persons, and in their presence, and by their discretions shall make, or cause to be made a true and perfect Inuentorie of all the goods, cattels, wares, merchandizes, as well moueable as not moueable whatsoever, that were of the said person so deceased, and the same shall cause to be indented, whereof the one part shall be by the said Executor or Executors, Administrator or Administrators, vpon his or their othe or othes, to be taken befoze the said Bishops, Ordinaries, their Officials, or Commissaries, or other persons hauing power to take probate of Testaments, vpon the holy Euangelistes, to be good and true, and the same one part indented, shall present and deliuer vnto the keeping of the said Bishop, Ordinarie, &c. and the other part thereof to remaine with the said executor or executors, administrator or administrators, &c. which Inuentorie so to him tendered, no Bishop, Ordinarie, &c. shall refuse to take, vpon the paine hereafter contained. $21. H. 8. 5.$

8 If the person deceased, will by his Testament, or last will any lands, tenements, or hereditaments to be sold, the money therof comming, nor the profits of the said lands for any time to be taken, shall not be accompted as any of the goodes or cattels of the said person so deceased. $21. H. 8. 5.$

9 And the same Ordinarie &c. vpon the deliuerie of the seale and signe of the testator, shall cause the same seale to be defaced, & thereupon incontinent redeliuer the same seale vnto the said executor or executors, without claime or challenge thereunto to be made. $21. H. 8. 5.$

10 And in case any person or persons at any time require a copie or copies of the said Testament so proued, or Inuentorie so made, then the said Ordinarie &c. or his ministers, shall from time to time with conuenient speed without any frustratorie delay, deliuer or cause to be deliuered a true copie or copies of the same, vnto the said person or persons demanding the same, taking for the search, and for the making of the copie of either of the said testament or Inuentorie, but onely such fee, as is befoze rehearsed for the registring of y^e said testament, or else the scribe or register to be

to be at his libertie, to demaund, haue, and take for euerie tennie lines thereof being of the proportion befoze rehearsed i. v. 21. W. 8. 5.

11 But where anie persons hauing authoritie to take probate of testaments, haue vsed to take lesse summes of money then is abouesaid for the probate of testaments, or commissions of administrations, or other cause concerning the same, they shall take such summe for y^e same, as they befoze the making of this act, haue vsed to take and not aboue. 21. W. 8. 5.

Custom to take lesse money for probates.

12 Euery Bishop, Ordinarie, Archdeacon, Chauncelloz, Commisarie, Officiall, and other person and persons hauing authoritie to take probate of testaments, their Registers, Scribes, Prailsoz, Summoners, Apparatoz, and all other their ministers whatsoeuer they be, that shall do or attempt, or cause to be done or attempted against this act in any thing, shall forf. for euery time so offending to y^e P. griued in y^e behalfe so much money as he shall take contrary to this act, And ouer that shall forf. to the Q. & the P. griued x. li. to be rec. by A. J. B. &c. wherein no T. E. P. &c. And euery of the same Bishops, and other persons which shall incurre the danger of such penaltie, shall be charged only for himselfe, and none of them shall be chargeable to the penaltie for others offences. 21. W. 8. 5.

The forfeiture for taking more then dutie.

13 But this act is not pzeiudiciall to any Ordinarie or other person, hauing authoritie to take probate of testaments, but euerie of them shall and may conuent befoze them euery person made executoz of any testament, to the intent to prooue or refuse the same, and to bzing in Inuentories, and to do euery other thing concerning the same, as they might doe befoze the making of this acte, so that alwaies any such Ordinarie &c. or other ministers aforesaid, shall not take for the same aboue the fees limited by this act, ne in any wise attempt any thing contrary to any part of the same act. 21. W. 8. 5.

Executors conuented to prooue the will, or bzing in Inuentories.

14 No spirituall person or others, hauing any benefice or other spirituall promotio within the Archdeaconrie of Richmond in Worsshire, shall aske, leuy, demaund, or take after the decease of any person or persons, any portion or portions, nor any other demaund or duty, in the name or lieu of the same, vpon paine to incurre such penalties, as be contained in the statute of Prouisoz made 25. Ed. 3. (vz. they shal be attached by their bodies, & brought in to answere, and if they be conuict, they shall remaine in prison, without being let to baile or mainprise or otherwise deliuered untill they haue paid a fine to the Q. at her pleasure, and satisfaction to the partie griued, and befoze their deliuerance they shall find suerty that they shall not attempt such things in time to come. And if they cannot be found, an Exigent shal be awarded against them by due proces, and writs shall go forth to appzehend their bodies, & in the meane time the Queene shall haue the profit of their benefices or other spirituall promotions.) But euerie of the Ducenes subiects of the said Archdeaconrie, and their executoz and administrators, shall be vsed for their goods and cattels as

Archdeaconry of Richmond.

Proclamation. Prohibition, Consultation.

ter their discesse, in like maner, forme, order, and condicion, as is contained in the foresaid Statute of 21. H. 8. Any custome, vse, composition, prescription, or ordinance &c. notwithstanding. 26. H. 8. 15.

Proclamation.

Proclamations
of Summons!
in real actions.

After euerie Summons vpon the land in any reall action, fourteene daies at the least before the day of the returne thereof, Proclamation of the Summons shall be made on a Sunday immediatly after diuine seruice and Sermon, if any Sermon there be, and if no Sermon there be, then forthwith after diuine seruice, at or neere to the most vsuall doze of the Church or chappell of that Towne or parish where the land whereupon the Summons was made doth lye, And that Proclamation so made as aforesaid, shall bee returned together with the names of the Summoners, & if such Summons shall not be proclaimed and returned according to the tenor and meaning of this act, then no Graund Cape to be awarded, but an alias, & pluries Summons, as the case shal require, vntill a Summons and Proclamation shall be duely made and returned according to the tenor and meaning of this act. Anno. 31. Eliz. 3.

1 For Proclamations vpon Exigents and outlawries. S. Exigent.

2 For Proclamations vpon fines leuied. S. Fines. 3.

3 Proclamation that a recusant indicted shall yeeld his body to the Sherife. S. Recusants. 13.

4 Where proclamation shall be made in a writ of Admesurement of Pasture or dower. S. Admesurement. 1.

5 That the Queenes Auditors shall make proclamation in market townes, of the times and places of keeping their Audits. S. Audits. 1.

6 That proclamation shal be made vpo a distresse deliuered of record in an Attaint xv. daies before the returne of the distresse. S. Attaint. 2.

7 That v. proclamations shall be made that a banckrupt shall yeeld his body to the commissioners. S. Bankrupts. 8.

8 Where and when proclamation shall be made when a writ shall be directed to the Bishop to certifie Bastardie. S. Bastardie. 3.

9 That three proclamations shall be made in a writ of Communi Custodia. S. Wardes. 5.

Prohibition, Consultation.

Oblations.
Portuaries.

The Queenes Prohibition doth not lie, when any oblations, obventions, or Portuaries (where Portuaries haue bene vsed to be giuen) be by those names demaunded in an ecclesiasticall Court, although for the long withholding of the same, they be esteemed at a certaine summe of money. But if a clerke do sell his tithes being gathered in his Barne or els where, for a certaine summe of money, if the money be demaunded before an ecclesiasticall Iudge, the Queenes prohibition shall take place, for by the sale, spirituall things are become temporall, and tithes are turned into chattels. Articuli cleri. 9. Ed. 2. 1.

Money for
tithes.

2 If an ecclesiasticall Judge do enioine penance for deadly sinne, as for fornication, aduoutrie, and such like (for the which sometime corporall punishment, & sometime punishment by the purse is incioyned) or for that the Churchyard is unfenced, or the church uncoverd, or not conueniently decked (in which cases there is none other punishment but by y^e purse) or for laying violent hands vpon a Clerke, or for defamation when money is not demaunded, but correction of the offence required, or for breaking of any oth, or if the Prelate of a Church, or an Advocate do demaund of a person a pension due to him, the Queenes prohibition doth not lie: and in the foresaid cases the ecclesiasticall Judge hath power to take order, notwithstanding the Queenes prohibition to him directed, Art. cleri. 9. Ed. 2. Circumspecte agatis 13. E. 1. For no Prohibition shal be directed out of the Chauncery, but where the Q. maiestie hath, and of right ought to haue cognisance of the plee. 18. Ed. 3. 5.

Penance for
sinne.

The Church
not well vled.

Using violence
to one of the
Clergie.

No prohibi-
tion but where
the Queene
hath cognisance.

3 If a Prelate or ecclesiasticall Judge will appoint that one shall pay money for his offence, and the money is demaunded of the offender, the Q. prohibition doth lie, but if he do enioin some corporal punishment, and they which are to be punished, will vpon their owne accord redeeme the same punishment with money, which money is demaunded before the ecclesiasticall Judge, the Q. prohibition doth not lie. And likewise in excommunication and defamation, the ecclesiasticall Judge may correct by enioyning a corporal punishment, notwithstanding the Q. prohibition, the which if the offender will redeeme by giuing to the party grieved money, he may, & the same may be demaunded before an ecclesiasticall Judge, and in those cases y^e Q. prohibition will not take place. But though any cause or businesse (the cognisance wherof belongeth to the ecclesiasticall court) shal be once determined before an ecclesiasticall Judge, & become a thing iudged, and not staied by appeale, if after question be moued vpon the same thing, betwixt the same persons before a secular Judge, & be prooued by witnesses or instruments, the former iudgement shal be no exception in the secular court, for one cause may be sued before ecclesiastical Judges and secular Judges in seuerall respects (as for laying violent hands vpon a Clerke.) And therefore notwithstanding the iudgement giuen in the ecclesiasticall court, the Queenes court shal deale in that cause as it seemeth good. Art. cleri. 9. Ed. 2. 2. 3. 4. 6.

Money for
corporall pun-
ishment.

Where a suite
may be com-
menced both in
the spirituall &
temporal court
for one offence.

4 If there be debate vpon the right of tithes (which hath his original vpon the right of the Patronage) & the quantity of the same tithes do exceede the iiii. part of the value of the Church (if the suite be commenced before a spirituall Judge) the Q. prohibition (vz. a writ of Indicauit) doth lie 9. Ed. 2. 2. Which writ of Indicauit shal not be graunted to any man, before the matter depending in the spirituall court, betweene the parties be recorded, & the Chancellors of England be certified therof by the sight of the libell, 34. Ed. 1. De coniunctim feoffatis.

Indicauit.

Prohibition, Consultation.

Silua cedua.

5 If any Parson or Vicar do impleade any other in a spirituall court for the tithe of wood being xx. yeeres of age or aboue in the name of *Silua cedua*, the partie sued shall haue a prohibition, and vpon the same an attachment. 45. Ed. 3. 3.

A Mill new builded.

6 If any person do build a new Mill in his ground, and the Parson of the same parish do demaund tithes thereof, the Queenes Prohibition doth not lie. Art. cleri. 9. E. 2. 4.

Indictment in the Sheriffs turne.

7 If any clerke or lay person being indicted before the Sherife in his turne, and after by enquest deliuered before the Iustices, do sue in the spiritual court against such indictors, surmising that they haue defamed him, euery person feeling himselfe thereby griued, shall haue a prohibition in the Chauncerie vpon his case. 1. Ed. 3. 11.

Consultation.

8 If any ecclesiasticall Judges do surcease to proceede in any cause mooued before the by force of the *N. writ* of prohibition, in any case where remedie can not be giuen vnto the complainants in the *N. court* by anie writ out of the Chauncerie, the Lord Chauncelloz, or chiefe Iustice for the time being, vpon sight of the Libell of the same matter, at the request of the plaintife (if they see that the plaintife can haue no remedy out of the Chauncery, but that the matter is determinable in y^e ecclesiasticall court) shall write vnto the Judges before whom the matter was first brought in question, that they shall proceede in the same cause, notwithstanding the *N. Prohibition* to them directed. 24. Ed. 1.

No prohibition shal be allowed after consultation graunted.

9 Where a Consultation is once duely graunted vpon a Prohibition directed to any Ecclesiasticall Judge, the same Judge may proceede in the same cause by vertue of the same Consultation, notwithstanding any other Prohibition deliuered vnto him, but the matter in the Libell of the said cause shall not be enlarged, altered, or changed. An. 50. Ed. 3. 4.

A copy of the libel shal be deliuered to the Judge before a prohibition graunted.

10 If any partie for any cause appointed in the statute prouided (2. Edw. 6. for true payment of tithes and offeringes) to be sued or determined in the Queenes Ecclesiasticall Court, or before the Ecclesiasticall Judge, doe sue for any Prohibition in any of the Queenes Courts, where Prohibition haue bene vsed to be graunted, then before any Prohibition shall be graunted to him, he shall bring and deliuer to the hands of some of the Iustices or Judges of the same Court where such party demandeth Prohibition, the verie true copy of the libell depending in the Ecclesiasticall Court, concerning the matter wherfore the party demandeth the Prohibition, subscribed or marked with the hand of the same partie, and vnder the copie of the said Libell shall be written the suggestion wherfore the partie so demandeth the said Prohibition. And in case the said suggestion by two honest and sufficient witnesses at the least bee not prooued true in the Court where the said Prohibition shall bee so graunted, within sixe moneths next following after the said Prohibition shall be graunted and awarded: Then the partie that is hindred of his suite

suite in the ecclesiasticall Court by such Prohibition, shall vpon his request and suite, without delay haue a Consultation graunted in that same case, in the Court where the said Prohibition was graunted, and shall also recouer double costs and damages against the partie that so pursueth the said Prohibition, the same to be assessed by the Court where the said Consultation shall be so graunted, for which costs and damages the partie to whom they shall be awarded, may haue an A. of debt by B. P. J. &c. in any of the Queenes Courts of record, wherein no W. E. P. &c. 2. Ed. 6. 13. S. Tithes. 25. &c.

Consultation
for default of
proving the
suggestion.

Prophecies.

If any person or persons do aduisedly and directly aduance, publish, and set forth by writing, printing, singing, or any other open speech or deed, to any person or persons, any fond, phantasticall, or false Prophecie, vpon or by the occasion of any Armes, Fields, Beasts, Badges, or such other like things accustomed in Armes, cognisances, or signets, or vpon or by reason of any time, yeere, or day, name, bloudshed, or warre, to the intent hereby to make any Rebellion, Insurrection, dissention, losse of life, or other disturbance within this Realme, & other the D. dominions: Then euerie such person being therof lawfully conuicted &c. for euery such offence shall suffer imprisonment of his body by the space of one yeere without baile or mainprise, and shall forfeit, to the D. and J. x. li. to be recouered by A. J. B. P. &c. wherein no W. E. P. &c. And if any offender do eftsoones offend in any of the premisses after such conuiction, and be thereof lawfully conuicted, then he shall for his second offence and conuiction, suffer imprisonment without baile or mainprise during his life, and also forfeit, to the D. & J. &c. all his goods and cattels, reals, and personals. But no person shall be impeached of any offence committed contrarie to this act, vntlesse he be therof impeached or accused within vi. moneths next ensuing such offence by him done. 5. Eliz. 15. S. Iustice of peace. 24.

1 The penaltie of prophesying, how long the Queene shall liue or aigne. S. Newes. 7.

Protections.

If the Queenes Maiesty do by her Prerogative, graunt to any persons which be bound to her grace for any maner of debt, protections that they shall not be impleaded, for any debts which they owe to others, vntill they haue made satisfaction to her, for that which is due vnto her: Yet notwithstanding euerie man which hath cause of action against such debtors, shall be answered in the Queenes Court by the said debtors, & if the plaintife or demandant haue iudgement giuen for him, the execution of the iudgement shall be suspended, vntill the Queene be satisfied of her debt. And if the creditors will take vpon them to answer the Queenes debt, they shall be thereunto receiued, and moreover shall haue execution against the debtors of the debt due vnto them, and also shall recouer against them

By the D. protection the parties suit shall not be hindered but his execution.

Protections. Purueyors.

them so much as they pay to the Queene for them. 25. Ed. 3. 19.

*Proteccio cum
clausula volumus.*

2 No protection with the clause (Volumus) shall be allowed before any Judge, for vitayles taken or bought upon the viage, or seruice whereof the protection maketh mention, nor yet in ples of trespassse, or of other contracts made or committed after the date of the same protection. 1. R. 2. 8.

*Protection
Quia profecturus.*

3 No protection with the clause (Quia profecturus) shall be allowed in any plee whereof the suite is commenced before the date of the said protection (except it be in a viage royall, or in the Queenes messages for the affaires of the Realme.) But they which be impleaded shall make their Atturneyes to answer for them in such ples, or tarrie themselves if they will. But the Protection (Quia moratur) shalbe allowed in all cases, as it hath bene. 13. R. 2. 16.

*Causes of re-
pealing a pro-
tection.*

4 If any tarrie in the Countrey without going to the seruice, for the which he is retained, more then a convenient time after he hath his Protection, or doe remaine from the same seruice, & the Chauncelloz of England be thereof informed, he shall repeale his protection. 13. R. 2. 16. And if one do cast a Protection of the Queenes seruice, and his aduersarie wil challenge the protection, & immediatly when it is shewed forth wil auerri that his aduersarie was within the iiii. Seas, and foorth of the Queenes seruice, so that he might haue come, the challenge shalbe entred of recozt and the matter shall remaine without day, according to the nature of the Protection. And when the partie shalbe resummoned and come into the Court, and demand iudgement, & hearing of the proces, & offer to auerr his challenge if his aduersarie wil attend, if the enquest passe against him which cast the Protection, it shall turne him to a default if he be tennant and if he be demandant, he shall loose his writ and be amerced. 23. Ed. 1 Stat. de Protectionibus.

*Protection for
the Countie of
Chester.*

5 No writ of course in the nature of a Protection shall be graunte within the Countie Palantine of Chester, vpon the suggestion of any person indebted to any other comming to the Eschequer in the said countie Palantine, and there taking a corporall oth, that he shall pay his creditors as he shall be able (as in time past it hath been vsed) without a speciall warrant from the Queene, her heires or successors containing such protection. 34. H. 8. 13.

Purueyors.

*No subjects
Chatoz shall
take any thing
against the ow-
ners consent.*

If any Chatoz, or other officer of any Lord or other person, do presume to take, or else doe take any vitayles, corne, hay, carriages, or any other thing of any of the Queenes liege people in any manner against their willes, without making a lawfull bargain betwixt the said Chatoz or Officer, and the said person (except it be for the Queene and her house) then if notice or request be made to the Baioz, Sherife, Bailife, Constable, or other of the Queenes officers of the Cities, Boroughs, Counties

or places where such taking shall be, the said Mayor, Officer &c. shall immediately take and arrest all such Chatours and Officers so offending, and send them to the Queenes next prison, there to remaine without baile or mainprise, vntill they haue redeliuered all the things so taken, or the verie value thereof. And if the said Mayor, Officers, &c. doe the contrarie, they shall forfeit xx. l. whereof the Queene shall haue the one halfe, and the party from whom the things were taken the other, if he will sue by A. of debt, wherein no W. &c. and if he wil not sue, whosoener wil, shall haue the suit to recouer the one moitie for the Queene, & the other for himselfe. And if any of the said Chatours (other then the Queenes) be duely conuict of such unlawfull taking, then they shall yeeld to the partie who so sueth, the treble value of the things so taken, and the double costs of their suits, and also shall make fine to the Queene. And in all those actions no W. &c. 23. H. 6. 14. It seemeth by some statutes, that if anie mans Chatour or servant, other then the Queenes, do take anie thing of anie man, but of him which will willingly sell it, as he can agree with the seller, or do not pay or it presently according to the agreement, it is felonie in the same chatour. Felony. 2. 3. 6. Ed. 3. 6. 7. R. 2. 7. See 4.

2 No Sherife, or other officer of the Queenes, nor anie other person, shall by commission vnder the great seale, or priue seale, or without commission, take or carie away anie maner of cozne, hay, vittails, horse, bullockes, carts, boats, ships, or any goods of anie Archbishops, Bishops, Prelats, parsons, vicars, or of anie other of the Clergie vnder the colour of buying, or by any other meane, within their manors, houses, granges, or in other places within the fee of the Church, or in market townes, or in any other places against the wils of them whose the goods be, or of them in whose possession they then do remaine. Neither shall the said Prelats or Clergie be charged to receiue into their houses any hostages, or Sojourners of Scotland, or other forreine Region: Nor y^e Horses, Dogs, Fawcons, or other Hawkes of the Queenes, or anie other persons against their willes: Sauing they which of auncient right do owe to her Grace what seruice, to keepe her Horses, Hawkes, Dogs, &c. 3. Ed. 1. 1. 10. Ed. 1. 4. Ed. 3. 1. And if anie of the Queenes Purueyors, or takers do the contrarie, the Prelates and Clerkes shall haue their action of trespassse against them, and recouer their treble damages. 1. R. 2. 2. And in all Commissions to be made for the prouision of the Queenes house, the fees of the Church in euerie place shalbe excepted. 18. Ed. 3. 4.

3 Purueyors for the Queenes house shall paie or agree for the prices that they shall make in the countrey of meate, drinke, and other necessarie things for the same house, with them of whom the things be taken, and they shall haue their warrant or commission with them, (sealed with the Queens great seale. 36. Ed. 3. 2.) containing their authoritie, & the things whereof they shall make prices, or purueiance, the which warrant they shall

No spirituall
persons goods
shall be taken.

Purueyors
shall agree for
things taken.

Purueyors.

**Purueyors
shall shew their
Commission.**

shall shew to them of whom they make their prices befoze they do take any thing. And if any purueior of the Queenes house, by reason of his warrant doth make prices in other sort then is afoze limitted, if vpon complaint made to the Treasorer & Steward of the Queenes house, and by enquirie, he be thereof attainted, he shall agree with the plaintife immediately, & be put out of the Queenes seruice for euer, and remaine in prison at the Queenes pleasure. Stat. de pris. 28. Ed. 1. 2.

**Purueyance
without war-
rant.**

4 If any make purueyance or prices without warrant, and do carie them away against the will of the owner, he shall be arrested by the towne where the prices were made, and caried to the next gaole, and if he be thereof attainted, he shalbe punished as a felon, if the value of the goods do so require. 28. Ed. 1. 2.

Felony.

**Purueyance
by the owners
good will.**

5 All purueiances which shalbe made for the Queenes house where she doth abide and passe through the countrey, shalbe made by warrant and power giuen to them which shall make the purueiance, in which warrant it shalbe contained, that they shall buy nothing but by agreemē betweene the buyer and the seller, and by the good will of the sellers, and if any by colour of his commission take anie thing against this ordinance none shalbe bound to obay him anie more, then if he had no commission. 14. Ed. 3. 19.

**Purueyance
for a Castle.**

6 No Constable or his Bailife, shall take corne or cattell of any man for to vittaille his Castell, if the man be not of the towne where the Castell is, but he shal forthwith pay for the same (except the seller wil repute the payment.) And if he be of the same Towne, the price of the corne and cattell shalbe paid within xl. daies, (except it be an ancient price due to the Queene, the castell, or the Lord of the Castell.) Magna charta. 9. H. 3. 19. West. 1. 3. Ed. 1. 7.

**Withholding
of money due
for prices.**

7 If any take corne or vittaille to the Queenes vse vpon credite or to the garison of a castell, or otherwise, and when they haue receiued their payment in the Eschequer, wardrop, or elsewhere, do withhold it from their creditors, if they haue anie landes or tenements, it shalbe leuiued of their landes and goods, and paid to their creditors, with the dammage they haue sustained, and also they shall pay a fine to the Queene for the trespass, and if they haue no lands, they shalbe imprisoned at the Queenes pleasure. 3. Ed. 1. 31.

**Taking of
timber about
a house.**

8 If anie taker of wood or timber to the Queenes vse, for worke or any other thing, do cause to be cut or felled downe any mans trees growing about or within his house, he shall paie to the partie his treble damages, be one yeere imprisoned, and lose his office. 25. Ed. 3. 6. But by the statute of Mag. chart. 9. H. 3. 21. no wood shalbe taken for the Queen without the owners consent.

**Taking of
sheepe.**

9 No purueior of the Q. shall take any more sheepe befoze sheare time but so many as may reasonably suffice vntill sheare time, and after that time

time they shall take as many thorne sheepe, & not other, as may reasonably suffice for the time to come. And if any taker, purueior, or buyer, take any sheepe with their wooll, betwixt Easter and the feast of S. John Baptist, praise them at a small price, and send them to his house to be thorne to his owne profite, and thereof be attainted at the suit of the Queene, or the partie, he shall be used as a thiefe, or a robber. 25. Ed. 3. 15.

Felony.
Quere.

10 All purueiances that shall be made for the Queenes great hoxses, so long as they doe soiozne in any Countrey, shal be made by the Shirifes of the Counties where such hoxses doe soiozne, & not by any other, and the purueyances made by the Shirife in this case, shall be deliuered to the keepers of the hoxses, by Indenture. 10. Ed. 3. 4. But no comission shal be made to any, but only a commandement to the Shirif, that he make purueyance of the issues of his Bayliwicke: And the number of the hoxses for the which he shall make purueyance shall be contained in the commaundement, and no purueyance shal be made aboue that number: Sauing that the chiefe keeper shall haue a hackney, & for euery Hoxse shall be allowed one seruant without byrning women, pages, or dogges with them. And if there be any moze found there remaining to charge the Countrey, they shall be sent to prison, vntill the Queenes pleasure be knowen. And in like maner purueyances shall be made for the N. dogges, when as she sendeth them into the Countrey, and if any man be griened against the foxme aforesaid, he shall haue his remedie against the Shirife. 14. Ed. 3. 19.

Purueyance for
the Queenes
hoxses.

Purueyance for
the Queenes
dogges.

11 Takers of prizes in faires, good townes, and in portes, for the Queenes wardrope, shall haue their common warrant vnder the great Seale, and the things that they shall take, shall be testified vnder the seale of the keeper of the wardrope. Of the number of the things taken, the value and the quantitie, there shall be an Indenture made betwene the takers and the keepers of faires, Maiozs, and Bailifes of those townes & ports where such goods be taken, by the view of those Marchants whose goods be taken, and they shall take no moze then is contained in their Indenture, which Indenture shal be sent into the Wardrope vnder the seale of the keepers of the Faire, Maioz, or chiefe Baylife, there to remaine vntill the accompt of the wardrope be giuen to the Queene. And if any be found that he hath taken otherwise then he ought to doe, vpon his accompt, he shall be punished by the keepers of the wardrope, according to his deserts. And if any make such prizes without warrant, he shall be punished as a felon, if the value of the goods do require it. 28. Ed. 1. 2.

Purueyance for
the Queenes
wardrope.

Felony.

12 If any Letters patents at any time shall be graunted to any hostlers, brewers, or other vitailers keeping hostleries, or houses of retailing of vitailles, to take hoxses and cartes for the Queenes carriage, the same Patents shall be void. 28. H. 6. 2.

No vitailer
shal be a taker
of carriage.

13 If any person doe take any Hoxse or Cart, without agreeing with the owner for the same, and by the deliuerance of the Maioz, Shirife, Baylifes,

Taking money
to spare any
mans hoxse, or
cart, or taking

Purueyors.

Without an of. Officers delivery. Baylifes, or Constable, where such taking is, or doe take any money of any person for to deliuer vnto him his horse or cart, which he hath taken, or doe take any fine of any of the Queenes people to shew them fauour, and not to take their horses or cartes, then he or they from whom such horse or cart, or of whom such fines or payments be taken, shall haue an action of trespass at the common Law for such takings, and shall recouer against the offendor treble dammages. 28. H. 6. 2, 3. Ed. 1. 31. But no demesne Cart of any Spirituall person, Knight, or Lord, shall be taken. Magna charta. 21. 9. H. 3. 21.

Retaining re. ward to charge an other. 14 No Buyer or Purueyor of vitailles, or taker of carriages, shall receiue of any one or other any gift, or other good turne to spare him, nor shall charge or grieue any man by reason of such takings, buyings, and carriages for hatred, enuy, euill will, or procurement, and if he doe, and thereof be attainted at the parties suit, he shall yeeld to the partie his treble dammages, haue two yeeres imprisonment, be punished at the Queenes pleasure, and forswear the Court: And if the partie will not sue, he that will sue for the Queene shall haue the thirde penie of that which shall be recouered, for his paines, and neuerthelesse the Purueyor shall receiue the foresaid punishment. 36. Ed. 3. 3.

Purueyance for shires and Castels.

15 Certaine Marchants, or other honest and discreet men shall be assigned by the Lord Treasorer to make purueyance of flesh, fish, and other vitailles for the Queenes warres, and for to vitaille castles and townes in England, or elsewhere, without commission, and without the Queenes authoritie, or any other: so that no man shall be enforced to sell any thing against his will. 14. E. 3. 3.

By what measure Purueyors shall take.

16 All Takers and Purueyors shall take all cozne, hay, litter, & other vitaille and goods of the Queenes people by measure striked, according as is vsed through the Realme, and shall not measure them by heap, nor otherwise take excessiue measure, and shall make present payment for the carriage thereof. And no man is bound to deliuer for the Quarter but viii. Bushels striked. 4. Ed. 3. 3. 25. Ed. 3. 1. 36. Ed. 3. 2. 11. H. 7. 4. And if any of the Queenes Purueyors, or other persons, doe buy or take any cozne in other sort, or by other measure but viii. bushels striked for the quarter, and thereof is attainted, he shall be one yeere imprisoned, pay to the Queene C. s. and to the partie griued as much for every time that he is thereof attainted. And the partie that will sue, may haue his action vpon the case, and aswell the partie griued, as euery one of the Queenes liege people, which will sue for the Queene, may maintaine the suite in this case at his pleasure. And nothing shall be taken for measuring of the said cozne. 1. H. 5. 10. 11. H. 6. 8.

Appaisement of things purueyed.

17 The Cozne, Cattell, and other Vitaille, and things which shall be taken for the Queenes house, shall be taken in such place where most plentie is, & in conuenient time, & no moze then is needfull for that season, and

and if the Purueyoz or Buyer cannot well agree with the seller, for that which he shall need, then the same shall be praised at the verie value, by the Constables, & fower honest men of the townes where such taking is thereunto sworne, and the praisers shall not be constrained by manace, threats, dures, or other villanie, to set any price, other then their othes do require, but as such things do commonly goe in the next markets, And Indentures or Tayles shall be presently made betwixt the Purueyozs, and those from whom the goods be taken, in the presence of the said Constables, and fower Prailozs, containing the quantitie of their takings, the price, and of what persons, and they shall be sealed with the Purueyozs seale, by which Indentures or Tayles, satisfaction shall be made to them from whom such goods be taken. And if any Taker or Purueyoz do make his prouision in any other maner then by fower discrete men of the Towne, or do not deliuer Tayles or Indentures with his seale, as is befoze said, he shall be incontinently arrested by the Towne where such purueyance was made, and brought to the next gaole, and if he be thereof attainted, he shall be punished as a Felon, if the quantitie of the goods do require. 5. Ed. 3. 2. 10. Ed. 3. 1. 25. Ed. 3. 1. 36. Ed. 3. 2. Felon.

But consider the foresaid Statutes diligently, whether the appraisement shall be made by the Lordes of the Townes, or their Baylifes, or by the Constable and fower men of the Townes, and whether there shall be Indentures deliuered or Tayles, and also whether the said Indentures or Tayles shall be made betweene the Purueyors and fower Prailers, or betweene the Purueyors and owners &c. for thereupon the foresaid Statutes do somewhat differ. S. 27. 28. Quere.

18 Commissions shall be directed vnto two wise and credible men of euery Countie, and to a third man of the Queenes house, that they three or two of them shall enquire of the behaviour of the Queenes Purueyozs & buyers, & how much the Q. Purueyozs of vitayles & great hozles haue taken & bought, and how much carriage they haue taken of euery village or singuler person, and to heare & determine aswell at the Queenes suit, as at any other mans which shall find himselfe griued, the contempts, outrageous dealings, & trespasses committed by them in this macter. And that the said Iustices or Commissioners may be duly informed of the foresaid things, the Steward, Treasorer, and Comptroller of the Queenes house shall assemble together, and call befoze them, all the Clerkes & other Officers of the same house, & seeing the receipt of the parcels purueyed in the Countrey, & spent in the said house euery quarter, or halfe yeere, shall certifie into the Chauncery the parcels taken in euery village, & of euery person: which certificat the Lord Chauncelloz shall send downe to the foresaid Iustices or Commissioners, & if it be found at the Queens or the parties suit in the Countrey by euidence of their indictozs, or in other maner, that the Purueyozs haue taken more then they haue deliuered to the

Commissions
to inquire of
Purueyozs
behaviour.

Purueyors.

Felony.

**Purueyance in
other maner
then is compris-
ed in his com-
mission.**

**Purueyors
oath.**

**The name of
Purueyors
changed.**

**Resistance of
the purueyors
offending.**

**Sergeant of
the Cattie.**

**Ready pay-
ment.**

Queenes house, and that they haue not paid for that which they haue taken, it is felonye, and they shall be punished as felons. 36. E. 3. 4.

19 If any taker or buyer, after commission to him directed, doth puruey or buy, or take any carriage in other maner then is comprised in his commission, it is Felony. 36. E. 3. 2.

20 Euery Purueyor and buyer for the Queene, before he hath his commission, shall be swozne in the Chauncerie, that he shall take nothing of the Queenes people, contrarie to the foresaid statute made 36. Ed. 3. against the disorder of Purueyors. In which statute amongst other things it is ordeined, that the haynous name of Purueyors shall be changed, and that they shall be called Buyers, and that there shall be as fewe of them as may be. 23. H. 6. 1. 2.

21 The praisors, & all the towne adioynning (if neede be) are bound to doe their indeuour, to resist the buyers & Purueyors doing contrarie to the said statute made 36. Ed. 3. and as much as in them is to execute the same statute vpon the Purueyors, if they be required, & he which is grieued with the taking of his goods, contrarie to the said statute, may chuse to haue his action of debt against the said praisors, towne or townes, and euery of them which doe not their indeuour in resistance of the said Purueyors or buyers, in forme aforesaid, when they be required, or else against the said Purueyors, & euery of them, to recouer treble value of the goods so taken, and also his treble costes and damages. And if any Purueyor, or other of the Queenes officers doe trouble in the Marshallie, or else where any of the Queenes liege people, by any euill suggestion, or cause fained against them, because of the execution of the foresaid ordinances made 36. Ed. 3. he shall forf. to the partie grieued xx. li. beside his damages and costes thereby sustained: And the partie shall haue thereupon an action of debt. And euery issue triable in this action shalbe tried in the Countie where the goods were taken, and the defendants in all the foresaid cases, shall answer without furching, and no W. ac. E. P. nor aide of the Queene shall be allowed to them. And the Sergeant of the Cattie, shall satisfie all the damages, debts, and executions which shall be recouered against any Purueyor vnder him in all the foresaid cases. And if the Purueyor be not sufficient to make satisfaction, the plaintife shall haue a Scire facias against the said Sergeant to haue execution. 28. H. 6. 2.

22 No Purueyor or buyer, shall make any purueyance for the house of any thing to the value of xl. s. or vnder, except he make ready payment in hand, vpon paine to loose his office, and to pay the value to the partie grieued. 2. H. 4. 14. And in case any Purueyor, buyer, or taker, will take or buy any thing to the value of xl. shillings or vnder, of any person, and make not readie payment in hand, then it is lawfull to euery of the Queenes liege people to retaine their goods and cattels, and to resist such Purueyors & buyers, & in no case to suffer them to make any purueyance.

And

And euery Constable, Tythingman, or chiefe pledge of euery towne or hamlet, where such purueyance shall be made, shall be assisting to the possessor or seller of such thinges, to be taken against the forine aforesaid, to make resistance in forine aforesaid, in cases they be required so to doe, vpon paine to yeeld to the partie grieved the value of the things so taken, with his double dammages, and none of the Queenes people shall be put to any losse or dammage by the Queene, or any of her officers for such resistance. And none of the Queenes officers shall cause any of the Queenes people to be arrested, vered, or impleaded in the Court of the Marshalsey, or elsewhere, for such retaining or not sufferance, vpon paine to forfe. xx. li. to the Q. and I. &c. And in euery action commenced vpon this stat, the defendant shall answer without aide of the Queene, & in such action, proces shall be made, as in a writ of trespass done against the peace. 20. H. 6. 8.

23 Purueyors assigned by the Q. commission for prouision for her Grace, shall and may prouide all vittailes, cozne, and other kind of things whatsoeuer it be, aswell within liberties and fraunchises as without, any graunts, allowance, or other thing to the contrarie, or let thereof notwithstanding. But such Purueyors shall obserue the statutes for them prouided in euery behalfe. 27. H. 8. 25.

The Queenes Purueyors may take within liberties.

24 No Purueyor or other person whatsoeuer, shall by vertue of any commission or otherwise, take any Herring, or sea fish from any the Q. subiects, that shall take the same in the ships or other vessels of the said subiects, otherwise then by agreement of the owners or sellers of the said fish, vpon paine to forfe. the double value of the herrings or fish so taken. And it is lawfull for any person being owner or seller of any such fish so taken, to withstand any person that will (by colour of purueying or otherwise) demaund any such fish, or the tolle of any such fish, without the good will of the owner or seller. Prouided that the fish called composition fish, heretofore graunted to the Q. by the subiects of this Realme traauelling into Iseland, shall be taken by her Maiesties Officers & Purueyors, in such sort as the same hath bin lawfully vsed to be taken before the making of this act. And sauing to the Q. her heires & successors, and to all other persons, such fishes as be knowen & vsed to be called regall fishes, whereunto her Maiestie or the said other persons haue, or shall haue right or interest for such recompence as heretofore hath bin accustomed. 5. El. 5. 35. El. 7. to continue to the end of the next Parliament next insuing.

Composition and regall fish.

25 Euery commission that shall be made, graunted, & directed to any person or persons, whereby he or they, or his or their deputies shall haue authoritie to take any Beeces, Wethers, Lambes, Calues, or any kind of salt fish, or any kind or kindes of graine, or Butter in barreles, or other vessels, Cheese, Bacon, Conies, Pigges, Geese, Capons, or Hennes, shall not continue aboue sixe monethes at the farthest, next ensuing the date of ny the said commissions, and after the end of the said sixe monethes, euery

How long commissions for the taking of vitall shall endure.

Purveyors.

of the said commissions shall be void, whatsoeuer words, matter, or sentences be contained in any of them. 2. & 3. P. & M. 6.

In commissions
the countie wher,
& the quantitie
of the things to
be taken, shalbe
expressed.

26 In euery such commission, shall be plainly aswell expressed such Countie or Counties, as any of the said beeves, wethers, lambes, calves, hogges, or swine, or any kind of salt fish, or any kind or kindes of graine, butter, cheese, bacon, conies, pigges, geese, capons, or hennes, or any of them, is to be purueied or taken in, by any of the persons, or their deputies so authorized by the said commission, as also the full porcion & number of all such beeves, wethers, lambes, &c. or any of them, as any of the said persons or their deputies shall be by force of the said commission authorized to take or puruey within any of the said Counties. An. 2. & 3. P. & M. 6.

Blankes an-
nered to com-
missions.

27 To euery such commission shall be annexed so many blankes in parchment as there shall be seuerall Counties named within the said commission, in the which blankes shall be faire and legibly written, all and euery such beeves, wethers, lambes, calves, swine, any kind of salt fish, or any kind of graine, butter, cheese, bacon, conies, pigges, geese, capons, and hennes, with the true and seuerall prices of euery of them, as shall be purueied & gathered by any person or his deputies thereunto authorized by any such commission, within any particular town, parish, or hamlet, being within any those Counties as shall be expressed within the said commission, whereunto shall be subscribed the name or signe manuel of euery such high Constable, petit Constable, or Headborough, as shall be by any precept to him directed by any person, or any of his deputies authorized therunto by such commission, priuie or knowledging to the deliuey of the said beeves, or other things aforesaid, or any of them. 2. & 3. P. and M. 6.

The high Con-
stables hand let
to euery blank

Dockets deli-
uered to the
high Consta-
bles.

28 Euery person or his deputie which shall be by commission authorized to take any beeves, wethers, lambes, calves, swine, salt fish, or any kind of graine, butter in barrells, or other vessels, cheese, bacon, conies, pigges, geese, capons, & hennes, or any of them, shall make a Docket or bryefe in writing subscribed with his name, containing all and euery such beeves, wethers, and other things aforesaid, as he shall by vertue of the said commission take within any particular towne, parish, or hamlet in any such countie or counties, as shall be expressed within the said commission, and the same docket or bryefe faire and legibly written and subscribed, shall well & truly deliuer to the said high Constable, petit Constable, or Headborough, at such present time, as the said beeves, or other things aforesaid shall be deliuered to any of them, vpon paine of one yeeres imprisonment, and to forfeit a hundred Markes to the D. & J. to be recovered by A. J. &c. wherein no T. &c. E. P. &c. as oft as he shall offend. All which dockets or bryefes, the said high Constable, petit Constable, or Headborough shall deliuer ouer to the Iustices of peace at the next generall Sessions holden within any of the said Counties. And the same Iustices or two of them, may and shall from time to time certifye the whole number and content of all

Dockets deli-
uered to the
Iustices of
peace.

all and euery of the said dockets and briefes to the Lord Steward of the Queenes household, or to the Treasorer or Comptroller of the same, or any of them, or to the Treasorer or Comptroller of the Queenes ships, if prouision of any the things befoze mencioned be taken for the vitailing of the Maie, or any of the Queenes ships, whereby the true seruing of any of the foresaid commissions, and true answering of the same shall fully appeare. 2. & 3. P. and M. 6.

29 It shall not be lawfull to any person, or his deputie authorized by such commission, to leuie, take, or puruey any beeuies, wethers, lambes, calves, any kind of salt fish, graine, butter in vessels, cheese, bacon, conies, pigges, geese, capons, and hennes, or any of them, in any other sort then is expessed in severall statutes heretofore made for Purueyors, vpon such paine and paines, as in the said severall statutes is contained. 2. & 3. P. and M. 6.

All former statutes provided for Purueyors must be oblied.

30 All and euery such lawes, statutes, & prouisions as heretofore haue bin made against Purueyors, and all & euery of the paines, penalties, forfeitures, & losses, appointed in any of the same lawes & statutes against Purueyors & Takers, shall also be extended & executed vpon euery of their undertakers, deputies, & seruants, and all other which by colour shall take any vitaille or any other thing by force of any such commission from any the Q. subiectes, contrarie to the tenor & effect of any of the said lawes or statutes, in like maner to all intents, as the same should or ought to be extended against Purueyors and Takers themselves, and as strongly as if the said undertakers, deputies, and seruants were specially & particularly named in euery of the same statutes. 2. & 3. P. & M. 6.

Statutes provided for Purueyors, shall extend to their deputies.

31 Euery commission that shall be made and graunted vnto any Purueyor, shall be written in the English tongue, and not otherwise. 2. & 3. P. and M. 6.

Commissions written in the english tongue.

32 No Purueyor, Taker, Badger, Loader, Pulter, or other minister for the Queene, her heires or successors, nor any other common Pulter, shall take, or bargain for any kind of vitaille or graine in any of the Markets or townes of Cambridge, or the Citie of Oxford, or either of them, nor within the compasse of five miles thereunto adioyning, without the consent, agreement, good will, and licence of either of the Chauncellores or Vicechauncellores in writing obtained vnder the seale of the office of the said Chauncelor or Vicechauncelor of either of the said Aniuersities, and in no other forme then in the said licence shall be expessed, so as the same giue not to any of the said Purueyors, or others, any further authoritie then they haue, or may lawfully vse in other parts of the same countrey, being without the said limits of five miles. Neither shall attempt to arie, take away, or bargain for any graine & other vitaille bought & provided within the said space of five miles, by any common minister of any Colledge, Hostell, or Hall, to be spent within any of the same Colledges, Hostells,

Purueyance within Cambridge or Oxford, or five miles thereof.

Purueyors.

Hostels, or Halles, without like licence, and in no other forme then is next before mencioned, vpon paine of forfaiture of the quadzuple value of any such graine or vitaille so taken or bargained for, in any of the said Markets, or within the space of fiue miles, or attempted to be taken, carried away, or bargained for, being prouided to be spent in any of the said Colledges, Hostels, or Halles: The one halfe of which forfe. shall be to the common Treasor of either the said Uniuersties, respectiue to the fault committed against this their priuiledge, the other to the partie that will sue for the same by A. J. &c. in any court of record, or before the foresaid Chancelor, or his Vicechancelor, or Commisarie, & two Iustices of the peace, of the Countie where the said Uniuerstie is set, and further shall suffer imprisonment for the space of iii. monethes, without bayle or mainprise. 2. & 3. P. & M. 15. 13. El. 21. 39. El. 18. S. Iustices of peace 60.

Purueyors may take of them which refuse to serue the Uniuerstie.

33 If any person within the said precinct of fiue miles, shall refuse reasonably to serue the necessarie prouision of the said Uniuersties, according to the true meaning of this Act, then it shall be lawfull to any of the D. takers or Purueyors to prouide any Corne or Vitaille of any such person, within any part of the precinct aforesaid, to the vse of the D. as shall be declared to the said takers to be persons not worthy of the said priuiledge, (for not reasonable seruing the necessities of the said Uniuersties) by the Chancelor or Vicechancelor of either of the said Uniuersties, with the consent of two Iustices of peace resident within either of the said Uniuersties, citie, towne, or countie, vnder their hands and seales, as the said Purueyors lawfully may in any other place without the said precinct of fiue miles, and not otherwise. 13. El. 21. 39. El. 18.

The Act suspended during the D. continuance within vij. miles.

34 But this Act shall not be put in execution at any time, whensoever the Queene, her heires or successors shall come to any of both the said Uniuersties, or within vij. miles of either of them, but shall be in suspence during that time only, and no longer. 13. El. 21. 39. El. 18.

The libertie of Oxford and Cambridge reserved.

35 This Act shall not be prejudiciall to the Maior, Bailifes & Comminalty of the Citie of Oxford: Nor to the Maior or Comminalty of the Towne of Cambridge, or to their successors, concerning any of their liberties or priuiledges. But euery of them & their successors respectiue may haue & vse the same in such maner, as they ought to haue done before the making of this Act. 2. & 3. P. & M. 15. 13. El. 21. 39. El. 18. to continue in force vntil the end of the next Parliament now next ensuing.

1 That no Purueyor of timber, shall sell any timber to the Queenes vse, but only in barking time, or else shall take away any more then only the timber tree. S. Barke 2.

2 That the Statut prouided 35. H. 8. for the preservation of woodes, shall not extend to woodes purueied by the Q. commission. S. Woods 17.

3 Concerning Purueyors for Cities and corporat Townes. S. Badger 4.

Quare impedit.

In assises of Darreine presentment, and in the plee of Quare impedit, ^{Proces in} of Churches being void, daies shalbe giuen from 15. daies to 15. daies, ^{Quare im-} or from 3. weekes to 3. weekes, as the place shalbe neere or far off. And in ^{pedit.} the plee of Quare impedit, if the disturber doe not come at the first day whereunto he is summoned, nor do cast an Essoine, then he shalbe attached against another daie, in which if he come not, nor cannot cast an Essoine, he shalbe distrained by the grand distresse, & if he do not then appeare, by his default the Bishop of the same place shalbe written vnto, that the disturbers deniall shall at this time nothing hinder the plaintife, sauing the disturbers right another time when he will sue, Marleb. 52. D. 3. 12. See Aduowson. Incumbent. Lapse.

Queene, Crowne, and supream government.

The law of this realme is, and euer hath been, and ought to be vnder- ^{The D. entol-} ^{eth al regal po-} ^{wer as king.} stande, that the Kingly or regal office of this Realme, and al dignities, Perogatiues, royal power, preheminences, priuiledges, authorities, and iurisdiccions thereunto annexed or belonging, being inuested, either in male or female, are, and be, and ought to be, as fully and entirelie accepted, inuested and taken in the one, as in the other, so that what or whensoever statute or law doth appoint, that the king of this realme may or shall haue, execute, and do anie thing as king, or doth giue anie commoditie to the king, or doth appoint any punishment for the correction of offenders against the regalitie and dignitie of the king or of the crowne, the same, the Queene (being supreame gouernesse, possessor, and inheritour to the imperial Crowne of this realme, as our soueraigne Ladie the D. most iustly presently is) may by the same authority likewise haue, exercise, execute, correct, and do to all intents without doubt or question, 1. D. 2. Parliament. 1.

2 No foireine Prince, person, prelat, state, or potentate, spirituall or ^{Al foireine po-} ^{wer abolished.} temporall, shal vse, enioy, or exercise, any maner of power, iurisdiction, superiority, authoritie, preheminence, or priuiledge, spirituall or ecclesiasticall within this realme, or within anie other the Queenes dominions that now be, or hereafter shalbe, but the same shalbe cleerely abolished out of all her dominions for euer, 1. Eliz. 1.

3 Such iurisdiccions, priuiledges, superiorities, and preheminences ^{Ecclesiasticall} ^{iurisdiccions} ^{annexed to the} ^{crowne.} spirituall, as by any spirituall power hath heretofore been, or may lawfully be vsed for the visitation of the ecclesiasticall state & persons, and for reformation, order, and correction of the same, and of all maner errors, heresies, schismes, abuses, offences, contempts, & enormities, shall for euer be vnited to the imperial Crowne of this Realme. And the D. her heires and successors, Kings and Queenes of this Realme, shall haue full power ^{Commissioners} ^{in cases of} ^{religion,} by letters patents vnder the great seale of England, to name & authorize when, as often, and for so long time, as her highnes, her heires or suc-

foz shall thinke meete, such person or persons (being naturall bozne subjects to her grace, her heires & successors) as she or they shall thinke meete, to occupie and execute vnder her &c. all maner iurisdiccions, priuiledges, & preheminences in any wise concerning any spirituall iurisdiction, within England & Ireland, or any other the Queenes dominions, and to visit, refozme, order, coꝛrect, and amende all such errors, heresies, schismes, abuses, offences, contempts, & enormities, which by any ecclesiasticall power may lawfully be ordered, coꝛrected, or amended, to the pleasure of God, the increase of vertue, and the conseruation of the peace, and vnitie of this realme. And such person or persons so authozized by the Q. &c. after the said letters patents to him or them deliuered, shall haue authozitie by vertue of this act and of the said letters patents vnder the Queenes &c. to vse and execute all the premisses, according to the tenor and effect of the said letters patētis &c. Provided alwaies, that such person or persons to whom the Q. her heires or successors, shall by letters patents vnder the great seale of England, giue authozitie to haue or execute any iurisdiction, power, or authozitie spirituall, or to visit, refozme, order or coꝛrect any errors, heresies, schismes, abuses, or enormities, by vertue of this act, shall not in any wise haue authozitie, or power to order, determine, or adiudge any matter, or cause to be heresie, But only such as heretofore haue bene determined, ordered or adiudged to be heresie by the authozitie of the canonicall Scriptures, or by the first foure generall counsailes or any of them, or by any other generall counsaile, wherein the same was declared heresie, by the expresse and plaine words of the said canonicall Scriptures, or such as hereafter shall be ordered, adiudged, or determined to be heresie, by the high court of parliament of this realme, with the assent of the clergie in their conuocation: Any thing &c. notwithstanding. Provided also that no maner of order, act, or determination, for any matter of religion, or cause ecclesiasticall, had or made by the authozitie of this present parliament, shall be accepted, deemed, interpretate, or adiudged at any time hereafter, to be any error, heresie, schisme, or schismaticall opinion: Any order, decree, sentence, constitution or law, whatsoever the same be, to the contrary notwithstanding. 1. Eliz. I.

What may be
adiudged
heresie.

What may not
be adiudged
heresie.

4 Every person hereafter particularly named, shall make take and receiue a corporall oth vpon the Euangelistes, according to the tenor and effect following, before such persons, at such places, and in such times, as be hereafter specified.

The Oth.

I A. B. doe vterly testifie, & declare in my conscience, that the Q. highnes is the onely supream gouernoz. of this realme, and of all other her highnes dominions and countreies, as well in all spirituall, or ecclesiasticall things or causes, as temporall. And that no foraine prince, person, prelat, state, or potentate, hath or ought to haue anie iurisdiction, power, superiortie, preheminence, or authozitie, ecclesiasticall or spirituall, with-

in this realme, and therefore I do utterly renounce, and forsake all forein iurisdiction, powers, superiories, and authorities, and do promise that from henceforth I shall beare faith and true alleageance to the Q. highnes, her heires, and lawfull successors, and to my power shall assist and defend all iurisdiction, priuiledges, preheminences & authorities, granted or belonging to the Queenes highnes, her heires and successors, or vntited and annexed to the imperiall crowne of this realme, so helpe me God, and by the contents of this booke. 1. Eliz. 1.

5 All & euery Archbishop, bishop, & euerie other ecclesiasticall person, & ecclesiastical officer or minister, & euery Judge, Justice, Maior, & other lay or temporall officer, and euerie other person hauing the Q. fee or wages within any her dominions, shall receiue the same oth before such person or persons, as it shall please the Q. &c. vnder the great seale of Englan to assigne to take the same. And euery person that at any time shalbe preferred &c. to anie Archbishopricke or bishopricke, or to any other ecclesiasticall benefice, promotion, dignitie, office or ministerie, or that shalbe by the Q. preferred to any temporall or lay office, or ministerie, or seruice, within any her dominions, before he shall take vpon him to receiue, vse, exercise, supply, or occupie any such archbishopricke, bishopricke, promotion, dignitie, office, &c. shal receiue the same oth before such persons as shal haue authoritie to admit any such person to any such office &c. or els before such person &c. as by the Q. &c. vnder the great seale shall be assigned, to minister the said oth. And euery person temporall, suing liuery, or Outter le maine, out of the hands of the Q. &c. before his liuery or Outter le maine sued forth & allowed. And euery temporall person doing any homage to the Q. &c. or that shalbe receiued into seruice with her &c. shall take the foresaid corporall oth, before the Lord Chancellor, or Lord keeper &c. or before such person &c. as by the Queene &c. shall be appointed to receiue the same. And euery person taking orders, and euery other person which shalbe preferred to anie degree of learning in any Uniuersitie within this realme or dominions, before he shal receiue such orders, or be preferred to such degree of learning, shal take y foresaid oth before his ordinary, commissary, Chancellor, or vicechancellor, or their sufficient deputie in the said Uniuersitie. 1. El. 1. And all other persons which haue taken, or shal take orders, commonlie called Ordines sacros, or Ecclesiasticall orders, haue been or shalbe preferred, or admitted to any degree of learning in any vniuersitie within this realme or dominions to the same belonging. And all schoole-masters, publique & priuat teachers of children, as also, all persons y haue taken, or shal take anie degree of learning, in, or at the common lawes of this realme, as well vtter Barresters, as Benchers, Readers, ancients in any house or houses of court, & all principall treasures, & such as be of the grand companie in euerie Inn of Chauncerie. And all Attornies, Prothonotaries, and Solicitors, towards the lawes of this realme, and all manner

maner of Sheriffs, Escheatozs and Feodaries, and all other person and persons which haue taken, oz shall take vpon him oz them, oz haue bin, oz shalbe admitted to anie ministerie, oz office, in, at, oz belonging to the common law, oz any other law oz lawes, oz to oz for the execution of them, oz anie of them vsed oz allowed, oz at any time hereafter to be vsed oz allowed, within this realme oz any other y^e dominions oz countries belonging, oz which hereafter shall happen to belong to the crowne, oz dignities of y^e same. And all other officers oz ministers of oz towards anie court whatsoeuer, & euery of them shal take & pronounce a corpozal oth vpon the Euangelists, befoze he oz they shalbe admitted, allowed, oz suffered to take vpon him oz them to vse oz occupie any such vocation, office, degree, ministerie, roomth oz seruice, as is afozesaid, and that in the open court, whereunto he doth oz shall serue oz belong. And if he do not, nor shall not serue nor belong to any open court, then he shall take the oth afozesaid, in an open place befoze a conuenient assembly to witnes the same, & befoze such person oz persons as haue authoritie by common vse oz otherwise, to admit oz call any such person to any such vocation, roomth, oz seruice, oz els befoze such, as by the Q. Commission vnder the great seale shalbe assigned to accept the same, according to the tenor, effect & forme of the same othe verbatim. And euery person which shalbe elected oz appointed a knight, citizen, oz Burges, oz Baron for any of the five Ports, for any Parliament, shall befoze he shall enter into the Parliament house, oz haue any voice there, openly receiue and pronounce the said oth befoze the Lord Steward, oz his Deputie oz Deputies appointed. And he which shall enter into the Parliament house without taking the said othe, shall be deemed no knight, Citizen, Burges, nor Baron for the Parliament, nor shall haue anie voice, but shall be to all intents, as if he had neuer bin returned, nor elected Knight, Citizen, Burges, oz baron for the Parliament, and shall suffer such paines and penalties, as if he had presumed to sit in the same, without election, returne, oz authoritie. And euery Archbishop, and Bishop, haue power to tender the oth afozesaid, to euery oz any spirituall person, within his proper Dioces, aswell in iurisdiction &c. exempt, as elsewhere. 5. Eliz. 1.

To whom Bishops may tender the oth.

The punishment of the refusal of the oth.

6. If any person appointed, oz compellable by either of the acts made An. 1. El. & 5. El. to take the said oth, oz any person to whom the said othe shalbe tendered by others hauing thereunto authoritie by commission directed vnto them by the Lord Chaunceloz &c. oz Lord Keeper, vnder the great seale of England (which without further warrant hath authoritie to direct such commission) shall at the time of the said othe so tendered, refuse to take oz pronounce the same in maner and forme afozesaid, then the partie so refusing, and being therof lawfully indicted, oz presented, within one yeere next after any such refusall, oz conuicted oz attainted at any time after, according to the law, shal suffer and incurre the paines, penalties,

ties,

ties, and forfeitures, provided by the statute of Provision & Preamure, made 16, R. 2. 5. Eliz. 1.

7 All and every such person and persons, having authoritie to tender the oth aforesaid, shall within xl. daies next after such refusall of the said oth, if the terme be then open, and if not, then at the first day of the full terme next following the said forty daies, make true certificat vnder his or their Seale or Seales, of the name or names, places and degrees of the person or persons so refusing the same oth in the Kings bench, vpon paine that every of the said persons having such authority making default of such certificat, shall for every such default forfeit. l. to the Queene &c. And the Sherife of the countie where the Kings bench shall be holden, shall or may inpanell a Iurie of the same County, to enquire of everie such refusall, which Iury shall and may vpon every such certificat, and other evi- dence to them giuen, indict the offendor, in such sort, as they may doe of any offence committed against the Queenes peace, within the same coun- tie &c. 5. Eliz. 1.

Certificat of the refusall in the Kings Bench.

8 If any of the persons appointed by this acte, to take the othe aforesaid, do after the space of three moneths next after the first tender thereof, the second time refuse to take, and pronounce, or do not take or pronounce the same, in forme aforesaid to be tendered: then every such offendor, for the same second offence, shall forfeit and suffer such, like, and the same paines, forfeitures, iudgements and execution, as is vsed in cases of high treason. But this act &c. or any attainder to be had by force thereof shall not extend to make any corruption of bloud, the disinheriting of any eire, forfeiture of power, nor to the prejudice of the right or title of any person, other then of the offendor during his naturall life only. And it shall and may be lawfull to every person and persons to whom the right or interest of any landes, tenements, or hereditaments, after the death of any such offendor should or might haue appertained, if no such attainder had beene, to enter into the same, without any Ouster le maine to be sued, in such sort, as he or they might haue done, if this act had neuer bene made. 5. Eliz. 1.

The 2. refusall of the oth.

9 This act shall not extend to compell any temporall person, of, or above the degree of a Baron of this Realme, to take or pronounce the oth aforesaid, nor to incurre any penaltie limited by this act for not taking or refusing the same. 5. Eliz. 1.

Barons.

10 No person shall be compelled by vertue of this act to take the oth aforesaid, at the second time of offering the same according to the forme appointed by this statute, except he hath bin, is, or shall be an ecclesiasticall person, that had, hath, or shall haue in the time of one of the Raignes of the Queenes father, brother, or sister, or in the time of the Raigne of the Q. her heires, or successors, charge, cure, or office in the Church, or such person as had, hath, or hereafter shall haue any office or ministerie,

Who shall take the oth vpon the second tender.

Queene, Crowne, &c.

ministerie, in any ecclesiasticall court of this Realme, vnder any Archbishop, or Bishop, in any the times or raignes aforesaid, or such as shall wilfully refuse to obserue the orders for diuine seruice, that be authorized to be vsed and obserued in the Church of England, after that he shall be publickely by the Ordinarie, or some of his officers for ecclesiasticall causes, admonished to keepe & obserue the same, or such as shall openly, and aduisedly deptraue by wordes, writings, or any other open fact, any of the rites and ceremonies at any time vsed, and authorized to be vsed in the church of England, or that shall say or heare the priuate Masse prohibited by the lawes of this realme. And all such persons shall be compellable to take the oth vpon the second tender of the same and incurre the penalties for not taking of the said oth, and none other. An. 5. Eliz. 1.

The exposition
of the oth.

11 The oth exprested in the said act made 1. Eliz. shall be taken and expounded in such forme, as is set forth in an admonition annexed to the Queenes Iniunctions, published Anno. 1. of her raigne, viz. to confesse and acknowledge in her, her Heires, and Successors, none other authoritie then that, which was challenged and lately vsed by king H. 8. and king Ed. 6. 5. Eliz. 1.

Imagining
destruction to
the Q. person,
or to leuie or
moue warre.

12 If any person or persons whatsoever, during the naturall life of our soueraigne Ladie Queene Elizabeth, shall within the realme, or without, compassse, imagin, inuent, deuise, or intend the death or destruction, or any bodily harme, tending to death, destruction, maim, or wounding of the royall person of the same our soueraigne Ladie, or to deptraue or depose her, of, or from the stile, honor, or kingly name of the imperiall crowne of this Realme, or of any other realme or dominion to her Maiestie belonging, or to leuy warre against her within this realme, or without, or to moue any forreiners, or strangers with force to invade this Realm or the realme of Ireland, or any other her Dominions being vnder her obeisance, and such compassses, imaginations, inuentions, deuises, or intentions, or any of them, shall maliciously, aduisedly, and expressly, declare by any Writing, Writing, Cypzing, Speech, wordes, or sayings: or if any person or persons, shall maliciously, aduisedly, and directly publishe, declare, hold opinion, affirme, or say, by any speech, expresse wordes, or sayings, that our said soueraigne Ladie Queene Elizabeth during her life, is not, or ought not to be Queene of this realme of England, and also of the realmes of France and Ireland,

Affirming that
the Q. ought
not to enioy the
Crowne, but
some other.

or that any other person or persons ought of right to be King or Queene of the said Realmes of England and Ireland, or of any other her Dominions, being vnder her obeisance, during her life, or shall by writing, printing, preaching, speech, expresse wordes, or sayings, maliciously, aduisedly, and directly publishe, set forth, and affirme, that our Soueraigne Ladie Queene Elizabeth is an heretike, schismatick, tirant, infidel, or an vsurper of the Crowne of the said Realmes, or any of them:

Affirming that
the Q. is an
heretike, tirant,
vsurper, &c.

then

then euery such said offence shal be deemed and taken high Treason, and as well the principall offendoz or offendozs therein, as all and euery the abbettors, counsellors, and procurers to the same offence, and all & euery aydozs and comforters of the same offendoz or offendozs, knowing the same offence to be committed in any place within this Realme, or without, being thereof lawfully and duely indicted, conuicted, and attainted, according to the vsuall order of the common Lawes, or according to the act made 35. H. 8. 2. concerning triall of Treasons, committed out of the Queenes dominions, shall be iudged &c. Traitors to the Queene and the Realme, and shall suffer death, and also forfait vnto the Queene &c. as in case of high Treason, An. 13. Eliz. 1. S. 1. Eliz. 6.

See Treason
10.

13 All and euery person and persons, of what degree, condition, place, nation, or estate soeuer they be, which shall at any time in the life of our Soueraigne Ladie Queene Elizabeth in any wise claime, pretend, utter, declare, affirme, or publish themselves or any of them, or any other, when our Soueraigne Lady Elizabeth the Queenes Maiestie that now is, to haue right or title, to haue or enioy the Crowne of England, during, or in the life of our said Soueraigne Ladie, or shal vsurp the same crowne, or the royall stile, title, or dignitie of the Crowne or Realme of England, during, or in the life of our said Soueraigne Ladie, or shall hold and affirme, that our said Soueraigne Ladie hath not right to hold and enioy the said Crowne and Realme, Stile, Title, or Dignitie, or shall not after any demaund, on our said Soueraigne Ladies part to be made, effectually acknowledge our said Soueraigne Ladie to be in right, true, and lawfull Queene of this Realme: They and euery of them so offending shall be utterly disabled during their naturall liues onely, to haue or enioy the Crowne or Realme of England, or the stile, title, or dignitie thereof, at any time in succession, inheritance, or otherwise, after the decease of our said Soueraigne Ladie, as if such person were naturally dead: any law or matter, &c. notwithstanding. 13. Eliz. 1.

Claiming
right to the
Crowne, or
vsurping the
same,

14 If any person shall during the Queenes life, in any wise hold, affirme, or maintaine any right, title, interest, or possibilitie in succession or inheritance, in, or to the Crowne of England, after our said Soueraigne Ladie the Queene, to be rightfully in, or lawfully due, or belonging vnto any such claimor, pretendoz, vsurper, vtterer, declarer, affirmer, publisher, or not acknowledger, so that our said Soueraigne Lady the Queene shall by proclamation to be published through the Realme, or else in the more part of those Shires of this Realme, as well on the South side, as the North side of Trent, and also in the Dominion of Wales, in which Shires no warre or rebellion then shall be: set forth, certifye, and declare such clayming, pretence, vttering, declaration, affirming, publishing, vsurpation, or not acknowledging: then euery person which after such proclamation, shall during the Queenes life, maintaine, hold,

Affirming the
right in succession
of the crown
in some other
then the Q.

Queene, Crowne, &c.

hold, or affirme any right in succession, inheritance, or possibilitie, in, or to the Crowne or Realme of England, or the right thereof to be, in, or to any such claimer, pretender, utterer, declarer, affirmer, usurper, publisher, or not acknowledger, shall be a high Traitor, and suffer, and forfeit as in cases of high Treason is accustomed, 13. Eliz. 1.

Maintayning
that the lawes
do not limit or
bind the right
of the Crowne.

15 If any person shall in any wise hold, and affirme, or maintaine, that the common Lawes of this Realme, not altered by parliament, ought not to direct the right of the Crowne of England, or that our Soueraigne Ladie Queene Elizabeth, with, and by the authoritie of the Parliament of England, is not able to make Lawes and Statutes of sufficient force, to limit and bind the Crowne of this Realme, and the descent, limitation, inheritance, and government thereof: or that this statute, or any part thereof, or any other statute to be made by the authoritie of the Parliament of England, with the Queenes Royall assent for the limiting of the Crowne, or any statute for recognising the right of the said Crowne and Realme, to be lawfully in the person of the Queene, is not, are not, or shall not, or ought not, to be for ever of sufficient force to bind limit, restraine and gouerne all persons, their rights and titles, that in any wise may or might claime any interest or possibilitie, in, or to the Crowne of England, in possession, remainder, inheritance, succession, or otherwise howsoever, and all other persons whatsoever: every such person so holding, affirming, or maintaining, during the life of the Queene, shall be iudged a high Traitor, and suffer and forfeit, as in cases of high treason are accustomed. And every person so holding, affirming, or maintayning after the decease of our said Soueraigne Lady, shall forfeit all his goods and cattels. 13. Eliz. 1.

Declaring by
bookes who
ought to be
the D. heire
or successor.

16 Whosoever shall during the life of our said Soueraigne Lady by any booke or worke printed, or written, directly and expressly declare and affirme, at any time before the same be by act of Parliament established, that any one particuler person, whosoever it be, is or ought to be the right heire, and successor to the Queenes Maiestie that now is, except the same be naturall issue of her bodie: Or shall wilfully set up in open place, publish, or spread any bookes or scroules to that effect, or shall print, bind, put to sale, or utter, or cause to be printed, bound, or put to sale, or uttered any such booke or writing wittingly, he or they, their abbettozs and counsailers, and every of them shall for the first offence suffer imprisonment one whole yeere, and forfeit halfe his goods to the D. and J. to be rec. by A. J. &c. wherein no C. P. &c. And if any shall esloones offend therein, then every of them, their abbettozs and counsellors shall incur the paines and forfeitures, which in the statutes of Praemunire, are appointed and limited: saving to every person, other then the offenders and their heires &c. all their right, title, &c. 13. Eliz. 1.

17 No person shall be arraigned for any the offences mentioned in this

this act, to be committed within any the Queenes Dominions, vnlesse the offender be thereof indicted within vi. moneths next after the same offence committed. And no person shall be arraigned for any the offences mentioned in this Act, to be committed out of any the Queenes dominions, vnlesse the offender be thereof indicted within one yere next after the offence committed. 13. Eliz. 1.

18 No person shall be arraigned for any the offences mentioned in this act, vnlesse the same offence be proued by the testimonie, and othe of two sufficient witnesses, which shall at the time of the arraignment of such person be brought forth in person before the partie so arraigned, face to face, and there shall auow and openly declare all they can say, against the partie arraigned, vnlesse he shall willingly without violence confesse the same. 13. Eliz. 1.

19 The aidors and comforters of such of the offenders aforesaid, as shall maliciously &c. affirme that the Q. is an heretike, schismatick, tirant, infidell, or vsurper &c. shall for his said first offence of aiding & comforting the said last recited offender knowing the same offence to be committed, incur only the danger and penaltie of Premunire, mentioned in the Statute of Premunire, made 16. R. 2. And such aidors and comforters of the offenders aforesaid last recited, knowing the same offences to be committed, which after their first conuiction and attainder thereof shall escape of record, shall for their second offence be adiudged high traitors. 13. El. 1.

20 But the giuing of charitable almes in money, meat, drinke, apparel, bedding for the sustentation of the body or health of any person, that shall commit any the offences made treason, or Premunire, by this act, during the time that the same offender shall be in prison, shall not be taken to be any offence. 13. El. 1.

21 By the statute made 35. H. 8. 1. the crowne of England was entailed after the death of king H. 8. and king Ed. 6. dying without heires of their bodie, to the Lady Mary one of the daughters of the said king H. 8. & to the heirs of her body lawfully begotten. And for default of such issue, to our soueraign Lady Q. Elizabeth, by the name of the Lady Elizabeth the said king H. 8. second daughter, and to the heirs of her bodie lawfully begotten, & for lacke of lawful heires of the said Lady Mary, and Lady Elizabeth, to such person or persons, in remainder or reuerſion, as it should please the said king H. 8. according to such estate, and after such manner and forme, order, fashion, and condition, as should be exprest, declared, named, and limited in the said king H. 8. his letters Patentes, or by his last will in writing, signed with his hand. And by the statute made 1. Eli. the estate, right, title, and succession in the Imperiall Crowne of England is recognised, knowledged, and confessed to be, in, and to our Soueraigne Lady Queene Elizabeth, and the heirs of her bodie to be begotten. And there it is further ordeined, that the said recognition, declara-

tion, and confession, as also the limitation and declaration of the succession of the Imperiall Crowne, mencioned and contained in the foresaid act of 35. H. 8. should stand, remaine, and be, the Law of this Realme for ever. And by the said statute of 1. El. 3. all sentences, iudgements, and decrees made, set forth, and published, and euery branch, article, or matter contained and expessed in any act of Parliament, repugnant, or contrarie to the said recognition, or any part thereof, or to the said limitation of the succession of the Crowne, established by the statute of 35. H. 8. were made frustrate and void.

Inuasion into the Realme, or hurt attempted to the p. person, by or for any pretending title to the Crowne.

22 If at any time after the end of this present Session of Parliament, any open inuasion or rebellion shall be had or made, into or within any of her Maiesties Realmes or Dominions, or any Act attempted, tending to the hurt of her Maiesties most Royall person, by, or for anie person that shall or may pretend any title to the Crowne of this Realme after her Maiesties decease: Or if any thing shall be compassed or imagined, tending to the hurt of her Maiesties royall person, by any person, or with the priuie of any person that shall or may pretend title to the Crowne of this Realme: then by her Maiesties Commission vnder her great Seale, the Lordes and others of her highnes priuie Counsell, and such other Lords of Parliament to be named by her Maiestie, as with the said priuie Counsell shall make by the number of xiii. at the least hauing with them for their assistance in that behalfe, such of the Judges of the Courts of record at Westminster, as her highnesse shall for that purpose assigne and appoint, or the more part of the same Counsell, Lords and Judges, shall by vertue of this Act haue authoritie to examine at and euery the offences aforesaid, and all circumstances thereof, and thereupon to giue sentence or Iudgement, as vpon good prooffe the matter shall appeare vnto them. And after such sentence or Iudgement giuen, and declaration thereof made, and published by her Maiesties Proclamation vnder the great Seale of Englands, all persons against whom such sentence or Iudgement shall be so giuen and published, shall be excluded and disabled for ever, to haue, or claime, or to pretend to haue or claime the Crowne of this Realme, or any her Maiesties dominions: any former Law or statute whatsoeuer to the contrarie in any wise notwithstanding. And thereupon all her highnesse Subiects shall and may lawfully by vertue of this act, and her Maiesties direction in that behalfe, by all forcible and possible meanes pursue to death enery such wicked person, by whom, or by whose meanes, assent, or priuie, any such inuasion, or rebellion shall be in forme aforesaid renounced to haue bin made, or such wicked act attempted, or other thing compassed or imagined against her Maiesties person, and all their aydoers, comfortors, and abettors. 27. Eliz. 1.

They disabled to inherite

23 If any such detestable act shall be executed against her highnesse most

most royall person, where by her Maiesties life shall be taken away (which the Crowne. God of his great mercy forbid) then euery such person, by or for whom any such act shall be executed, and their issues being any wise assenting or any act to take away the life. priuie to the same, shall by vertue of this Act be excluded and disabled for euer to haue or claime, or to pretend to haue or claime the said Crowne of this Realme, or of any other her highnes Dominions: any former Law or statute whatsoeuer to the contrarie in any wise notwithstanding. And all the Subiects of this Realme, and all other her Maiesties Dominions, shall and may lawfully by vertue of this Act, by all forcible and possible meanes, pursue to death euery such wicked person, by whom, or by whose meanes any such detestable fact shall be in forme hereafter expressed, denounced to haue bin committed, and also their issues, being any way assenting or priuie to the same, and all their aydoers, comfortors, and abettors, in that behalfe. 27. Cl. 1.

24 To the end that the intention of this law may be effectually executed, if her Maiesties life shall be taken away by any violent or vnnaturall meanes (which God defend) the Lordes and others which shall be of her Maiesties priuie Counsell at the time of such her decease, or the more part of the same Counsell, ioyning vnto them for their better assistance foue other Earles, and vii. other Lords of Parliament at the least (foreseeing that none of the said Earles, Lords, or Counsel, be knowen to be persons that may make any title to the Crowne) those persons which were chiefe Iustices of either Bench, Master of the Rolles, and chiefe Baron of the Eschequer, at the time of her Maiesties death, or in default of the said Iustices, Master of the Rolles, and chiefe Baron, some other of those which were Iustices of some of the Courts of Record at Westm. at the time of her highnesse decease, to supply their places, or any 24. or more of them, whereof eight to be Lords of Parliament, not being of the priuie Counsell, shall to the uttermost of their power and skill examine Examining the cause, maner, & circumstances of the death. the cause and maner of such her Maiesties death, and what persons shall be any way guiltie thereof, and all circumstances concerning the same according to the true meaning of this Act, and thereupon shall by open Proclamation publish the same, and without any delay by all forcible and possible meanes, prosecute to death all such as shall be found to be offendours therein, and all their aydoers and abettors. And for the doing hereof, and for the withstanding and suppressing of all such power and orce, as shall any way be leuied or stirred in disturbance of the due execution of this Law, shall by vertue of this Act haue power and authoritie, not onely to raise and vse such forces, as shall in that behalfe be needfull and conuenient, but also to vse all other meanes and things possible and necessarie for the maintenance of the same forces, and prosecution of the said offendours. Prosecuting of the offendours. Force leuied to disturbe the execution of this statute. And if any such power and force shall be leuied or stirred in disturbance of the due execution of this Law by any person that

Shall or may pretend any title to the Crowne of this Realme, whereby this Law may not in all things be fully executed according to the effect and true meaning of the same: Then euery such person shall by vertue of this Act be therfore excluded and disabled for euer to haue or claime, or to pretende to haue or claime the Crowne of this Realme, or of any other her highnes Dominions: Any former Law or statute whatsoeuer to the contrarie notwithstanding. 27. El. 1.

Assistance to
execute this
statute.

25 All and euery the subiects of her Maiesties Realmes and Dominions, shal to the vttermost of their powers, aide and assist the said Counsell, and all other the Lords and other persons to be adioyned vnto them for assistance as is aforesaid, in all things to be done and executed according to the effect and intencion of this Law. And no subiect of this Realme shal in any wise be impeached in bodie, lands or goods, at any time hereafter for any thing to be done or executed according to the tenor of this law: Any Law or statute heretofore made to the contrarie in any wise notwithstanding. 27. Eliz. 1.

The meaning
of the associa-
tion.

26 Whereas of late many of her Maiesties good and faithful subiects, haue in the name of God, and with the testimonie of good consciences by one vniforme maner of writing vnder their hands and seales, and by their seuerall Othes voluntarily taken, ioined themselues toge: her in one bond and association, to withstand and reuenge to the vttermost, all such malicious actions and attemptes against her Maiesties most Royall person: Now for the full explaning of all such ambiguities and questions, as otherwise might happen to grow by reason of any sinister or wrong construction or interpretation to be made or inferred, of, or vpon the wordes or meaning thereof. Be it declared and enacted by the authoritie of this present Parliament, that the same association and euery article and sentence therein contained, as well concerning the disallowing, excluding, or disabling of any person that may or shall pretend any title to come to the Crowne of this Realme, as also for the pursuing and taking reuenge of any person for any such wicked act or attempt as is mentioned in the same association, shal & ought to be in all things expounded and adiudged according to the true intent and meaning of this Act, and not otherwise, nor against any other person or persons. 27. El. 1.

1 What prerogatiues and preheminences the Lawes and Statutes doe giue to the Q. S. Prerogatiue.

2 For all bandes to be made to the Queene, and how she shall be answered all her debtes, duties, and accompts, S. Accomptants to the Queene.

3 That the commissioners of Sewers decree, shall bind the Queenes lands, S. Sewers 8.

4 For the force of a fine leuied by tenant in taile, of lands whereof the reuerfion is in the Q. S. Fines 17.

5 For the force of a recovery of lands intailed, whereof the reuersion or remainder is in the Q. S. Recoveries 2.

6 That though the plaintife be nonsuit, or a verdict passe against him in any action, bill, or plaint sued to the Q. v. c. the def. shall not recover costes. S. Damages 9.

7 That kings children borne beyond the Seas, are inheritable in England. S. Abilitie 1.

8 The punishment of such as vtter seditious words, rumors, books, &c. against the Q. S. Newes 3. 4. 5. &c.

Quod permittat.

EUen as the Parson of any Church may recover common of pasture by writ of Nouel disseisin, so shall his successor recover against the disseisor or his heire by a writ of Quod permittat. And as there is a writ grantable to enquire, whether a tenement be the free almes of such a Church, or the lay fee of such a man, so the like writ may be awarded to enquire whether it be free almes of such a Church, or of another Church, in case where the free almes of one Church is transferred into the possession of another Church. West, 2, 13. Ed. 1, 24. Iuris Vetus.

Rape.

IF any man do rauish a married wife, a maide, or other woman where she doth not assent before nor after, it is felony. And in like sort if a man do rauish a married wife, maid, or other woman with force, though she do consent after, it is felonie. West, 2. 13. Ed. 1, 34.

2 If any person shall unlawfully, and carnally know, and abuse any woman child, vnder the age of x. yeres, it is felony, and the offender thereof being duely conuicted, shall suffer as a felon, without allowance of Clergy. Abusing a woman child vnder x. yeres of age.

18. El. 6. S. Clergie 10. Felonie 14.

3 If any Noblemens daughters, Ladies, or other women be rauished, and after the same rape committed, do consent to the rauishors, as well the rauishors as they that be rauished, and euery of them, shall bee disabled, and be disabled Ipso facto, to haue or challenge all manner of inheritance, dower, or ioint feoffement after the death of their husbandes and auncellors. And immediatly in this case the next of the blood of those rauishors, and of those which bee rauished (to whom the inheritance, dower, or ioint feoffement ought to discend, reuert, remaine, or come after the death of the rauishor, or her that is rauished) haue title incontinently after the rape, to enter vpon the rauishor, or her which is rauished, their assignes, and land tenants in that inheritance, dower, or ioint feoffement, and the same to hold by estate of inheritance. And the husbandes of such women (if they haue husbandes) or if they haue no husbandes liuing, then their fathers or other their next kinsmen in blood, shall haue the suite to prosecute, and may pursue against the same offenders and rauishors, in this behalfe, and to conuict them of felonie, though

The sort, where the woman rauished doth consent.

Receit.

the same woman after the Rape do consent to the rauishors. And in this case the defendand shall not wage battell, but the truth of the matter shall be tried by the Countrey. Sauing alwaies to the Queene and other Lords of the Realme, all their Escheates of such rauishors if they be conuict. 6.R.2.6.

1 How the def.in appeale of Rape, shall be vsed. S. Coroners. 7.

Receit.

Whether the wife
shalbe receiued
vpon the hus-
bands default.

If in an action brought against the husband and the wife, of lands which be the right of the wife, the husband will absent himselfe, and will not defend his wiues right, or will against his wiues consent, yeeld the land, if the wife wil come before Iudgement, & be readie to answere to the demandant, and to defend her right, she shalbe thereunto admitted. West. 2. 13. Ed. 1. 3.

Where he in
the reuerfion
shalbe receiued.

2 If any man doe purchase a writ against tenant in dower, tenant by curtesie of England, or any other tenant for terme of life, or Tenant in tail, of lands, where the reuerfion is in an other, and he doth make default, or will yeeld the land, the helres, or they that haue the reuerfion shall bee admitted to answer if they come before iudgement. And if by default or yeelding, iudgement shalbe giuen, then the heires, or they which haue the reuerfion, shall recouer after the death of such tenants by a writ of Entre ad communem legem. West. 2. 13. Ed. 1. 3. But if any man being not partie to the suit, will come before Iudgement in the foresaid case, and desire that he may be admitted, he shall find such sufficient suertie before his admission, as the Court shall thinke meete, to satisfie the demandant the value of the issues of the land so to be recovered, from the day that he is receiued to make answere, untill the day that final iudgement shall be giuen vpon the demandants petition. And if the demandant do recouer the thing in demand, the defendand shall be grievously amerced, if he haue whereof, and if he haue not whereof, he shalbe committed to the gaole, and there remaine during the D. pleasure. And if he can proue his right to be such as he affirmed it at the time of his receit, he shall goe quie. 20. Ed. 1. Defensioe Iuris.

The receit of
one not partie
to the suit.

Receit of him
in the reuerfion

3 If any Tenant for terme of life, Tenant in dower, Tenant by the curtesie, or Tenant in taile after possibility of issue extinct, be impleaded, and he in the reuerfion doth come into the Court and pratech to be receiued to defend his right, at the day that the tenant doth plead to the action, or before, he shall be receiued to plead in chiefe to the action, without taking delay by voucher, ayde prier, nonage, or other delay whatsoeuer, so that after such receit, he shall haue no delay by Protection, Essoine of the D. seruice, or common Essoine, but the suite shall be hastned as much as it may by the Law. And daies of grace shall be giuen by discrecion of the Judges, betwixt the demandant and him which is so receiued, and not the common daies giuen in pleges of land except the demandant wil there-

Daies of grace

whereunto assent) to the intent the demandant shall not be too much delayed, which must plead with two aduersaries, And he in the reuerſion which prayeth to be receiued, shall find ſuerties for the iſſues of the land, as well where the receit is counterpleaded, as where it is graunted, vt ſupra, &c. 13. R. 2. 16.

Records.

The Queenes Juſtices beſore whom any miſpziſion, or default ſhall be found in any Records or Proceſs, which depende beſore them by way of Error, Adioznement or otherwiſe, or in retournes, made by Sherifes, Bailifes of Franchiſes, or any other perſon, by miſpziſion of the Clerkes of any of the ſaid Courts, or by miſpziſion of the Sherifes, Underſherifes, Coroners, or any other officers or clerks, in wriſing of one letter or one ſillable too much, or too little, haue power to amend ſuch default after their diſcretion, and by examinacion where they ſhal thinke good, as well after iudgement, as beſore iudgement, and alſwell after iudgement giuen vpon a verdict paſſed, as vpon a matter in law pleaded, and the ſame proceſs ſhall not be auoided or diſcontinued therefore, But theſe ſtatutes extend not to Records and proceſs in Wales, or where proceſs of Outlawrie lyeth. 14. Ed. 3. 6. 9. H. 5. 4. 4. H. 6. 3. 8. H. 6. 15.

Juſtices may
amend records

2 For Error assigned in any record, proceſs, warrant of Atturney, or originall writ, or iudiciall panel, or retorne, in any place of them rased or interlined, or in any addition, ſubſtraction, or diminution of words, letters, titles or parcel of writs, found in any ſuch records, proceſs, &c. where ſuch caſure, interlining, addition, &c. by the diſcretion of the Judges of the Queenes Courts and places, wherein the ſaid record & proceſs by writ of Error, or otherwiſe be certified, do appeare ſuſpicious, no Iudgement or Record ſhall be reuerſed. And the Queenes Juſtices of the courts & places, in which any record, proceſs, ſuite, plea, warrant of atturney, writ, panel, or retorne, for the time being ſhall be, haue power to examine them, by themſelues, and their Clerkes, & to amend (in affirmance of the iudgement of ſuch records & proceſs) all that which in their diſcretion ſeemeth to be miſpziſion of the Clerkes, in ſuch records, proceſs, &c. (except appeales, indictments of treaſon and felonie, and the outlawries thereupon, the proper names, ſurnames, & additions, omitted in originall writs, and writs of Exigent, according to the ſtatute of 1. H. 5. 5.) and in other writs containing proclamation, ſo that by ſuch miſpziſion of the Clerke, no iudgement ſhall be reuerſed nor adnulled. 8. H. 6. 12.

Records rased
or interlined.

3 And if any record, proceſs, writ, warrant of atturney, retorne, or panel, be certified defective, otherwiſe then according to the wriſing, which hereof remaineth in the Treasorie, Courts, or places, from whence they be certified, the parties in affirmance of the iudgements of ſuch records, and proceſs, ſhall haue aduantage to alleage variance betwixt the ſame wriſing, and the ſaid certificat: And that found and certified,

Variance be-
tweene the re-
cord and certi-
ficat.

that same variance shalbe by the said Judges reformed and amended according to the first writing. 8. H. 6. 12.

Imbesilling
of Records.

4 If any record, or parcell of the same writ, returne, panell, proces, or warrant of attorney, in the courts of Chancery, Eschequer, the one bench, or the other, or in the Treasory, be willingly stolen, taken away, withdrawn, or auoyded by any Clerke, or other person, by cause whereof any iudgement be reuerfed, such stealer, taker away, withdrawer, and auoider, their procurors, counsaillors, and abettors, being thereof indicted, and by proces thereupon made thereof duely conuict by their owne confession, or by enquest to be taken of lawfull men, whereof the one halfe shalbe of the men of any Court of the same courts, and the other halfe of other, shall be iudged for felons, and shall incurre the paine of felonie. And the Judges of the said Courts, of the one Bench, or of the other, haue power to heare and to determine such defaults before them, and therefore to make due punishment, as is ofore said. 8. H. 6. 12.

Record exempted.

5 Provided alwaies, that if any such Record, proces, writ, or warrant of attorney, panell, or returne, or parcel of the same, be now or hereafter shalbe exemplified in the Chauncerie vnder the great Seale, & such exemplification there, of record enrolled, without any raising in the same place, in the exemplification, & the inrolment of the same: that then for any error assigned, or to be assigned in the said record, proces, writ, warrant of attorney, panell, or returne, in any letter, word, clause, or matter of the same varying, or contrary to the said exemplification and the enroulment, there shall be no iudgement of the said Records and proces reuerfed nor aduulged. 8. H. 6. 12.

1 That imbesilling of a Record &c. is felony. S. Felony 18.

2 That no Certiorare shall bee graunted to remoue a Recorde, except it bee signed with a Iustices hand of the same Court. See Remouer &c. 1.

3 What imperfections in Records the Court may amend after demurrer ioyned and entred, and what not. S. Demurrer 2. 3.

Recoveries, and falsifying of Recoveries.

The recoverers may distraine the tenants of land recovered.

If any of the Queenes subiectes do suffer any recoveries against them by the course of the Common law, of any Manors, Lordships, lands, or tenements, for the performace of their willes, or for the suerties of their wiues Jointers, for the iointer of their sonnes and heires apparant, and their wiues, or for any other person or persons, according to their covenants and agreements, the recoverers in all such recoveries, their heires, and all assignes, may distraine the fermors, freeholders, and tenants which hold of the same manors, by rentes, seruices, and customes, for the said rents, seruices, and customes, being due and vnpaid, and make auowzie, or iustifie the same, as those persons against whom the said recoverie is, should haue done, if the said recoverie had not bin had, and also haue like remedy

remedy for the recovering of the said rents, services, and customs by a-
uowzie. And also shall haue Quare impedit for an Aduowson appendant
to any of the said manors, if the same Aduowson fall void, and any distur-
bance be made, as those persons against whom the said recoveries were
had, might, or should haue had by the course of the common Law before
the said recovery, if any such rents, services, or customs had bin denie-
ed them, or any such disturbance had bin had in their times. 7. H. 8. 4. S.
Damages 8.

Quare impedit.

2 No fained recovery had by assent of parties against any tenant in
taile, of any lands, tenementes, or hereditaments, whereof the reuer-
sion or remainder, at the time of such recovery had, shall be in the Queene,
shall bind or conclude the heires in taile, whether any common voucher
be had in any such fained recovery or not. But after the death of euery
such tenant in taile, against whom any such recovery shall be had, the
heires in taile may enter, haue, and enioy the landes, tenementes, and
hereditaments so recovered, according to the forme of the gifte of in-
taile: the said recovery or any other thing to be had, done, or suffered,
by, or against any such tenant in taile to the contrarie notwithstanding.
34. H. 8. 20.

Recovery of
lands entailed
whereof the
reversion is in
the Queene.

3 The heires of euery such tenant in taile, against whom any such fai-
ned recovery shall be had, shall take no aduantage for any recompence in va-
lue against the vouchee, nor his heires. 34. H. 8. 20.

The heire in
taile shall haue
no recompence
in value.

4 But this act shall not be preiudicial to the lessee or lessees of any such
tenant in taile made by writing indented, of any lands, tenementes or here-
ditaments, for terme of xxi. yerres, three liues, or vnder, whereupon the ac-
customable rent and rents or more, is or shall be reserved yerely during the
same terme and termes, but the same lessee & lessees, shall and may haue and
enioy his or their terme and termes therein against the heires of euery such
tenant in taile, according to the tenor and effect of the statute made 32. H.
8. 34. H. 8. 20. S. Leases 1. 2.

Leases by te-
nant in taile, of
lands whereof
the reversion is
in the Q.

5 All recoveries to be had or prosecuted by agreement of the parties,
or by count against any tenants by curtesie of England, tenants in taile
after possibility of issue extinct, or otherwise only for terme of life or liues,
or of estates determinable vpon life or liues, of any lands, tenementes, or he-
reditaments, whereof the same particular tenant is, or shall be seised of any
such particular estate as is aforesaid, or against any other, with voucher or
uer of any such particular tenant, or of any hauing, or that had right or ti-
ele to any such particular estate or tenancy, as is aforesaid, shall as against
such person or persons to whom any reversion or remainder thereof by force
of any conueyance or deuise before that time had or made, shall, ought, or
lawfully may appertain, and against their heires and successors be utter-
ly void. 14. Eliz. 8.

Recoveries a-
gainst particu-
lar tenants.

6 But this act shall not extend to any person or persons that shall by
good

Recoveries vpon
good titles.

Recoveries, and falsifying of Recoveries?

good title recover any lands, tenements, or hereditaments, without fraud or couin, by reason of any former right or title, but all and every such recovery and recoveries upon former rights and titles, shall stand and be in like force as they were before the making of this act. 14. El. 8.

Recoverie by the assent of him in the reuerſion or remainder.

7 All and every such recovery and recoveries to be had or prosecuted of any lands, tenements or hereditaments as is aforesaid, by the assent and agreement of any person or persons, to whom any reuerſion or remainder thereof, then shall or ought to appertain, (so that the same assent and agreement do appeare of record in any of the Q. Courts &c.) shall stand in like strength, and of like effect, against such person and persons that shall so assent & agree, their heires and successors, as they were before the making of this act. 14. El. 8.

Tenant for yerres may falsifie a recovery had against him in the reuerſion.

8 If any persons do make leases of their landes, tenements, or other hereditaments, by Indentures or without writings, to other persons for terme of yerres, if after the same lessors, their heires or assignes, do cause or suffer recoveries to be had against them in the Q. or in any other Lordes Court, upon fained and untrue title, by craft and couin, to put the said termors from the termes: all such termors shall and may falsifie for his terme onely such recovery, in such wise and forme, as a tenant of a freehold shall and may do by the course of the Common law, where such tenant of freehold was neither priue nor partie to the same recovery. And the same termors, their executors and assignes notwithstanding such recovery so had, shall enjoy, retaine, and hold their said termes according to their said Leases, against all such recoverers, their heires and assignes. And the said recoverers, their heires & assignes, after such recovery so had, shall haue like remedy against the said termors, their executors & assigns, by auowry, or action of debt, for the rents and seruices reserved upon the same leases being due after the same recoveries: & also like actions against the for waite done after the same recoveries so had, in like maner and forme, as the said lessors should or might haue had, if the same recoveries had neuer bin had. 21. H. 8. 15. Glouc. 6. Ed. 1. 11.

No Statute or recognisance shall be avoided by any fained recovery.

9 No Statute of the Staple, Statute Marchant, nor execution by Elegit, shall be avoided by meanes of any such fained recovery, but all persons hauing any landes, tenements, or other hereditaments in execution, or being intituled to haue execution of any landes or tenements by any such meanes, shall haue like remedy to auoide and falsifie the same recovery, as before is provided for the lessee for terme of yerres. 21. Hen. 8. 15.

10 What fines for alienation upon writs of Entrie, sued upon common Recoveries shall be paid. S. Willes 8.

2 Where a woman shall forfeit her estate, for suffering a fained Recovery against her, of land which she holdeth in dower, for life, in taile, &c. S. Women 1. 2. 3. 4.

3 For Recoueries and deedes inrolled in corporate Townes. See Women 5.

4 That such thinges whereupon Recoueries are to be suffered may be inrolled, S. Fines 19. & c. 29. & c.

5 For suffering of recoueries of landes in Wales, and the Q. fine for the same, S. Wales 21. 22.

Recusants.

Every person above the age of xvi. yeeres, which shall not repaire to some Church, Chappell, or vsuall place of Common prayer, but forbeare the same, contrarie to the tenour of a Statute made in the first yere of her Maiesties Raigne, for vniformity of Common prayer, and being thereof lawfully conuicted, shall forfait to the Queene, for euery Moneth which he or she shall so forbeare, xx. pound. And ouer and besides the said forfeitures, euery person so forbearing by the space of twelue Monethes as aforesaid, shall for his or their obstinacie (after certificat thereof in writing made into the Kings Bench, by the Ordinarie of the Diocesse, a Iustice of Assise and gaole deliuey, or a Iustice of Peace of the Countie where such offender shall dwell, or be) be bound with two sufficient sureties in the summe of CC. poundes at the least, to the good behauour, and so to continue bound, vntill such time as the persons so bound doe conforme themselves, and come to the Church, according to the true meaning of the said statute made in the first yere of the Queenes raigne. 23. Eliz. 1. S. Sacraments 5.

Repairing to the Church.

2 If any person or persons, bodies politike or corporate, shall keepe or maintaine any Schoolemaster, which shall not repaire to Church, as is aforesaid, or be allowed by the Bishop or Ordinary of the Diocesse, where such Schoolemaster shall be so kept, shall forfait for euery Moneth so keeping him x. poundes. (Provided that no such Ordinary or their Minister, shall take any thing for the said allowance,) And such Schoolemaster or teacher, presuming to teach contrarie to this Act, and being thereof lawfully conuicted, shall be disabled to bee a teacher of youth, and shall suffer imprisonment without bayle or mainprize, for one yere, 23. Eliz. 1.

Schoolemaster.

3 Every person, which vsuallly on the Sunday, shall haue in his or her house, the diuine seruice which is established by the law in this Realme, and be thereat himselfe, or herselfe, vsuallly or most commonly present, and shall not obstinately refuse to come to Church, and there to doe as is aforesaid: And shall also 4. times in the yere at the least be present at the diuine seruice in the Church of the Parish, where he or she shall be resident, or in some other open common Church or such Chappel of ease, shall not incurre any paine or penalty limited by this act, for not repairing to the Church. 23. Eliz. 1.

Seruice in a mans priuats house.

4 All forfeitures of any summes of money limited by this Acte, shall

To what vse the said shalbe employed.

shall be diuided in three equall partes, whereof one third part shall be to the Queene to her owne vse, one other third part, to the Queene for reliefe of the poore in the parish where the offence shalbe committed, to be deliuered by warrant of the principall Officers in the Receit of the Eschequer; without further warrant from her Maiestie, & the other third part to such person as will sue for the same in any Court of Record, by action, B. P. or J. in which suit no E. P. or M. shall be allowed. And euery person which shall forfait any summes of money by vertue of this Act, and shal not be able, or shal faile to pay the same within three moneths after Iudgement thereof giuen, shalbe committed to prison, there to remaine untill he hath paid the said summes, or conformed himselfe to go to the Church, & there do as is aforesaid. 23. Eliz. I.

Couenous conueyances to defraud for.

5 Every graunt, conueiance, bond, iudgement, and execution, had or made, sithence the beginning of this Session of Parliament, or hereafter to be had or made, of couenous purpose to defraud any interest, right, or title, that may or ought to grow to the Queene, or to any other person by meane of any conuiction, or iudgement by vertue of this statute, or of the statute of 13. Eliz. 2. shall be, and be iudged to be utterly void against the Queene, and against such as shall sue for any part of the said penalties in forme aforesaid. 23. Eliz. I.

See Rome 2. &c.

A guilty person conforming himselfe.

6 Every person guilty of any offence against this statute, other then Treason and misprision of Treason, which shall befoze he be thereof indicted, or at his arraignment or triall befoze iudgement, submit and conform himselfe befoze the Bishop of the Dioces, where he shalbe resident, or befoze the Iustices where he shalbe indicted, arraigned, or tried (hauing not befoze made like submission at any his trial being indicted for his first like offence) shal vpon his recognition of such submission in open Assises or Sessions of the Countie, where such person shall be resident, Be discharged of all and euery the said offences against this Act (except Treason and misprision of Treason) and of all paines and forfeitures for the same. 23. Eliz. I.

See Rome 7. 8.

Ecclesiasticall censures.

7 Provided, that neither this Acte, nor any thing therein contained, shall extende to take away, or abridge the authoritie or iurisdiction of the Ecclesiasticall censures, for any cause or matter, But that the Archbishops and Bishops, and other Ecclesiasticall Iudges may doe and proceed, as befoze the making of this Act they lawfully did, or might haue done: any thing in this Act to the contrarie notwithstanding. 23. Elizab. I.

Certain assurances void against the Q.

8 Every feoffment, gift, graunt, conueyance, alienation, estate, lease, incumbrance, and limitation of vse, of, or out of any landes, tenementes, or hereditamentes whatsoever, had or made at any time since the beginning of the Queenes Maiesties raigne, or at any time hereafter to be had or made, by any person which hath not repaired, or shall not

not repaire to some Church, Chappell, or vsual place of common praier, but hath forborne, or shall forbear the same, contrarie to the tenor of the said Statute (of Anno 23. Eliz. I.) and which is or shall be reuocable at the pleasure of such offender, or in any wise directly or indirectly meant or intended, to, or for the behoofe, reliefe, or maintenance, or at the disposition of any such offender, or wherewith, or whereby, or in consideration whereof, such offender or his familie shall be maintained, relieved, or kept, shall be deemed and taken to be utterly void and frustrate, as against the Queenes Maiestie, for, or concerning the leuying and paying of such summes of money, as any such person by the Lawes or Statutes of the Realme already made, ought to pay or forsaith for not coming or repairing to any Church, Chappell, or vsuall place of Common praier, or for saying, hearing, or being at any Masse, and shall also be seised and had, to, and for her Maiesties vse and behoofe, as hereafter in this Act is mencioned: any pretence, colour, fained consideration, or expresting of any vse, to the contrarie notwithstanding. 29. Elizab. 6.

9 Euery conuiction hereafter for any offence before mencioned, shall be in the Court commonly called the Kinges Bench, or at the Assises, or generall Gaole deliuerie, and not elsewhere, and shall from the Justices before whom the Record of such conuiction shall remaine, be created and certified into the Court of Eschequer, before the end of the Terme next ensuing after euery such conuiction, in such conuenient certificate, as the Court of Eschequer may thereupon award out proces for seisure of the landes and goods of euery such offender as hath not paid his forsaithures, according to the Lawes and statutes in such cases provided. 29. Eliz. 6.

Conuictions in the K. Bench or gaole deliuerie.

10 Euery such offender in not repairing to diuine seruice, but forbearing the same contrary to the said statute (of An. 23. Eliz. I.) as hath bin heretofore conuicted of such offence, and hath not made submission and bin conformable according to the true meaning of the said statute shall without any other indictment or conuiction, pay into the receit of the said Eschequer, all such summes of money, as, according to the rate of xx. li. for euery moneth since the same conuiction, doe yet remaine vnpaid, in fourme as hereafter ensueeth: That is to say the one moitie thereof before the end of the next Trinitie terme, and the other moity thereof before the end of the next Hilary terme, or at any such other times, as by the Lord Treasurer, Chancellor, and chiefe Baron of the Eschequer or any two of them, shall by composition vpon good band and suertie taken, be limited, before the end of the said next Trinitie terme, if any such composition shall happen to be. And shall also in euery Easter and Michaelmas terme, vntill such time as the same person doe make submission and be conformable, according to the true meaning of the said statute, paie into the sayd

At what time the money forsaithed shall be paid.

receit

receit of the Eschequer, xx. li. for every moneth, which shall incurre in all that meane time, 29. Eliz. 6.

xx. li. a moneth after convic-
tion without fur-
ther indictment.

I I Every such offender in not repairing to divine service, but forbearing the same, contrarie to the said statute as hereafter shall fortune to be thereof once convicted, shall in such of the termes of Easter and Michaelmasse, as shalbe next after such conviction, pay into the said receit of Eschequer, after the rate of xx. pounds for every moneth, which shall be contained in the indictment, whereupon such conviction shalbe, And shall also for every moneth after such conviction without any other indictment, or conviction, pay into the receit of the Eschequer aforesaid, at two times in the yere, that is to say, in every Easter terme, and Michaelmas terme, as much, as then shall remaine unpaid, after the rate of twentie poundes for every moneth after such conviction: And if default shall be made in any part of anie payment aforesaid contrarie to the fourme herein before limited, Then and so often the Queenes Maiestie, shall and may by procelle out of the said Eschequer, take, seise, and enjoy all the goods and two partes aswell of all the lands, tenements, and hereditaments, leases and farmes of such offender, As of all other the landes, tenements, and hereditaments liable to such seisure, or to the privities aforesaid, by the true meaning of this act, leauing the third part onely of the same lands, tenements and hereditamentes; leases and farmes, to and for the maintenance and reliefe of the same offender, his wife, children and familie, 29. Eliz. 6.

All the goods, & two parts of the lands and leases of him which payeth not xx. li. a moneth for the Queene.

The indictment sufficient, though it be not mencioned that the parties inhabiting within the Realme.

I 2 The Indictment of every such offender, mencioning the not coming of such offender, to the Church of the parish where such person at any time before such indictment was, or did keep house or residence, nor to any other Church, Chappell, or usuall place of Common prayer, shall bee sufficient in the law. And it shall not be needful to mencion in any such indictment, that the partie offender was, or is inhabiting within this Realme of England, or any other the Queenes Dominions; But if it shall happen any such offender then not to be within this Realme or other her Maiesties Dominions, in such case the party shalbe relieved by plea, to be put in that behalfe and not otherwise, 29. Eliz. 6.

Reliefe to the indicted, not being within the Realme.

A proclamation that the partie indicted shall yield his bodie to the Sherife.

I 3 And vpon the indictment of such offender, a Proclamation shall be made at the same Assises or Gaole deliuerie in which the Indictment shall be taken (if the same be taken at any Assise or Gaole deliuerie) by which it shalbe commaunded, that the bodie of such offender shall be rendered to the Sherife of the same Countie before the said next Assises or generall gaole deliuerie to be holden in the same Countie. And if at the said next Assises or Gaole deliuerie, the same offender so proclaimed shall not make apparance of record, then vpon such default recorded, the same shall be as sufficient conviction in Law of the said offence, whereof the partie so standeth indicted as is aforesaid, as if vpon the same indictment, a trial

by verdict thereupon had proceeded and bin recorded. 29. El. 6.

14. Provided alwaies, that whensoever any such offender as is aforesaid, shall make submission, & become conformable, according to the forme limited by the said statute made (An. 23. El. 1.) or shall fortune to die, that then no forfeiture of xx. li. for any moneth, or seisure of the lands of the same offender, from and after such submission & conformity, or death, and full satisfaction of all the arrears of xx. li. monethly before such seisure due, or payable, shall ensue or be continued against such offender, so long as the same person shall continue in comming to diuine service, according to the intent of the said estatute. 29. El. 6.

The offender submitting, or dying.

15. It shall and may be lawful to & for the Lord Treasurer of Englad, The third part of the forfeiture assigned to the poore. Chancellor & chiefe Baron of the Exchequer for the time being, or two of them, To assigne and dispose of the full third parte of the xx. li. for euerie moneth, paid, or to be paid into the receipt of the Exchequer, as is aforesaid, or the reliefe and maintenance aswel of the poore, and of the houses of correction, as of impotent and maymed Soldiers, as the same Lord Treasurer, Chancellor and chiefe Baron, or any two of them, shall order or appoint. Any thing in the said statute made An. 23. Eliz. I. mencioned to the contrarye, in any wise notwithstanding. 29. El. 6. See 4.

16. Provided alwaies, that this Act or any thing therein contained, shall not in any wise extend or be construed to make void, or impeach any grant or Lease heretofore made bona fide, without fraud or couine, whereupon any peere rent or payment is reserved or payable, or any graunt or Lease hereafter to be made bona fide, without fraud or couine, whereupon the accustomed peere rent or more, shall be reserved, or any other conuicance, assurance, or assignement, whatsoener heretofore made, bona fide, vpon good consideration and without fraud or couin, which is not, or shall not be redocable at the pleasure of such offender, otherwise then to giue benefit or title to her Maestie, her heires and successors, to haue, perceiue, and enioy such rents & payments, during the continuance of such Lease or grant, according to the true meaning of this Act. 29. El. 6.

Assurances made bona fide, not impeached.

17. This Act shall not in any wise extende, or be construed to continue any seisure, of any landes or tenements, of such offender, in her Maesties hands, or in the hands of her heires or successors, after the said offenders death, which landes or tenements he shall haue or be seised of, onely for terme of his life, or in the right of his wife: Any thing in this Act &c. 29. Eliz. 6.

Seisure of lands wherein the offender hath estate but for terme of life.

18. If any person or persons, above the age of xvi. yerres, which shall obstinately refuse to repaire to some Church, Chappell, or vsuall place of common prayer, to heare diuine service established by her Maesties lawes and statutes in that behalfe made, and shall forbear to doe the same by the space of a moneth next after without lawfull cause, Shall at any time after x. daies next after the end of this Session of Parliament (being 10.

Aprilis

A Recusant
persuading o-
ther to im-
pugne the M.
ecclesiasticall
lawes.

Aprilis An.Dom. 1593. By printing, writing, or expresse wordes or spea-
ches, aduisedly and purposely practise, or goe about to mooue or perswade
any of her Maiesties subiects, or any other within her Highnesse Realmes
or Dominions, to denie, withstand and impugne her Maiesties power and
authoritie, in causes Ecclesiasticall, vnited and annexed to the imperfall
Crowne of this Realme, or to that end or purpose, shall aduisedly and ma-
liciously mooue or perswade any other person wharsoeuer, to forbear or
abstaine from comming to Church, to heare diuine seruice, or to receiue
the Communion according to her Maiesties Lawes and Statutes afoze-
said, or to come to, or to be present at any vnlawfull assemblies, conuenti-
cles or meetings, vnder colour, or pretence of any exercise of religion con-
trarie to her Maiesties said Lawes and Statutes: or if any person or per-
sons which shall obstinately refuse to repaire to some Church, Chappell, or
vsuall place of Common praier, and shall forbear by the space of a mo-
neth to heare diuine seruice, as is aforesaid, shall after the said fortie daies,
either of him, or themselves, or by the motion, perswasion, inticement, or
allurement of any other, willingly ioine in, or be present at any such assem-
blies, conuenticles or meetings, vnder colour or pretence of any such exer-
cise of religion, contrarie to the Lawes and Statutes of this Realme as
is aforesaid: Then euery such person, so offending as aforesaid, and being
thereof lawfully conuicted, shall be committed to prison, there to remaine
without baile or mainprise, vntill they shall conforme and yeeld them-
selues to come to some Church, Chappell, or vsuall place of Common
praier, and heare diuine seruice according to her Maiesties lawes and sta-
tutes aforesaid, and to make such open submission and declaration of
their said conformitie, as hereafter in this Act is declared and appointed.
35. Eliz. I.

An offender
not conforming
himselfe, shall
abjure the
Realme.

19 If any such person or persons, which shall offend against this Act,
as aforesaid, shall not within thre moneths, next after they shall be con-
uicted for their said offence, conforme themselves to the obedience of the
Lawes and Statutes of this Realme in comming to the Church to heare
Diuine seruice, and in making such publique confession and submission,
as hereafter in this Act is appointed and expressed, being thereunto requi-
red by the Bishop of the Diocesse, or any Iustice of the peace in the Coun-
tie where the same person shall happen to be, or by the Minister or Cu-
rate of the Parish: In euery such case, euery such offender being thereun-
to warned or required by any Iustice of the peace of the same Countie,
where such offenders shall then be, shall vpon his or their corporall oath,
before the Iustices of the peace in the open quarter Sessions of the same
Countie, or at the Assises and Gaole deliuey of the same County, before
the Iustices of the same Assises and Gaole deliuerie, Abjure this Realme
of England, and all other the Queenes Maiesties dominions for euer, vn-
lesse her Maiestie shall licence the partie to returne: And thereupon shall
depart

Depart out of this Realme, at such Haven or Port, and within such time, as shall in that behalfe, be assigned & appointed by the said Iustices, before whom such Abiuration shall be made, vnielſe the ſame offendor be letted or ſtayed by ſuch lawfull and reaſonable meanes or cauſes, as by the common Lawes of this Realme are permitted and allowed in caſes of abiuration for Felonie. And in ſuch caſes of let or ſtay, then within ſuch reaſonable and conuenient time after, as the common Law requireth in caſe of abiuration for Felonie, as is aforeſaid. And the Iuſtices of peace before whom any ſuch Abiuration ſhall happen to be made, as is aforeſaid, ſhall cauſe the ſame preſently to be entred of Record before them, and ſhall certifie the ſame to the Iuſtices of Aſſiſes and Gaole deliuerie of the ſaid Countie at the next Aſſiſes or Gaole deliuerie to be holden in the ſame Countie: And if any ſuch offendor, which by the tenour and intent of this Act, is to be Abiured, as is aforeſaid, ſhall reſuſe to make ſuch Abiuration, as is aforeſaid, or after ſuch Abiuration made, ſhall not goe to ſuch Haven, and within ſuch time as is before appointed, and from thence depart out of this Realme, according to this preſent Act, or after ſuch his departure, ſhall returne, or come againe into any her Maieſties Realmes or Dominions, without her Maieſties ſpeciall licence in that behalfe firſt had and obtained: Then in euery ſuch caſe the perſon ſo offending, ſhall be adiudged a Felon, and ſuffer as in caſe of felonie without benefit of Clergie. 35. El. 1.

Refuſing to ab-
iure, not depart-
ing or return-
ing without
licence.

20 If any perſon or perſons, that ſhall at any time hereafter offend againſt this Act, ſhall before he or they be ſo warned, or required to make Abiuration according to the tenour of this Act, repaire to ſome Pariſh Church, on ſome Sunday or other Feſtiuall day, and then and there heare diuine Seruice, and at ſeruice time before the Sermon, or reading of the Goſpell, make publique and open ſubmiſſion and declaration of his and their conſormitie to her Maieſties Lawes and Statutes, as hereafter in this Act is declared & appointed: Then the ſame offendor ſhall thereupon be cleerely diſcharged, of, and from all and euery the penalties and puniſhments, inflicted or impoſed by this Act, for any of the offences aforeſaid. The ſame Submiſſion to be made as hereafter followeth: that is to ſay, I A. B. doe humbly confeſſe, and acknowledge that I haue greeuouſly offended God, in condemning her Maieſties godly and lawfull government and authoritie, by abſenting my ſelfe from Church, and from hearing diuine ſeruice, contrarie to the godly Lawes and Statutes of thys Realme, and in vſing and frequenting diſordered and unlawfull conuenticles and aſſemblies, vnder pretence and colour of exerciſe of Religion: And I am hartely ſorie for the ſame, and doe acknowledge and teſtifie in my Conſcience, that none other perſon hath, or ought to haue any power or authoritie ouer her Maieſtie: And I doe promiſe and proteſt, without any diſſimulation, or any colour or meanes of any diſpenſation, that from

Open ſubmiſ-
ſion.

The forme of
the ſubmiſſion.

hencefoorth I will from time to time, obey and perfoyme her Maiesties Lawes and Statutes, in repairing to the Church, and hearing Diuine seruice, and doe mine vttermoſt indeuour to maintaine & defend the ſame. And euery Miniſter oz Curate of euery pariſh where ſuch ſubmiſſion and declaration of conſormitie ſhall hereafter be ſo made, by any ſuch offendour, as afozeſaid, ſhall preſently enter the ſame into a Booke, to be kept in euery Pariſh for that purpoſe, And within tenne dayes next following, ſhall certifie the ſame in wꝛiting to the Biſhop of the Dioces. 35. El. 1.

The ſubmiſſion entered into a booke.

The offendour in relapſe.

21 Provided neuertheleſſe, that if any ſuch offendour, after ſuch ſubmiſſion made as is afozeſaid, ſhall afterwards fall into relapſe, oz eſſoones obſtinately reſuſe to repaire to ſome Church, Chappell, oz vſuall place of Common pꝛayer, to heare Diuine ſeruice, and ſhall for beare the ſame as is afozeſaid, oz ſhall come, oz be preſent at any ſuch aſſemblies, conuenticles, oz meetings, vnder colour oz pretence of any exerciſe of Religion, contrarie to her Maiesties Lawes and Statutes: Then euery ſuch offendour ſhall looſe all ſuch benefit, as he, oz ſhe might otherwiſe by vertue of this Act haue, oz inioy by reaſon of their ſaid ſubmiſſion, and ſhall thereupon ſtand and remaine in ſuch plight, condition, and degree, to all intents, as though ſuch Submiſſion had neuer bin made. 35. El. 2.

Keeping a Recuſant in houſe a Moneth after warning.

22 If any perſon oz perſons, ſhall at any time hereafter relieue, maintaine, retaine, oz keepe in his oz their houſe, oz otherwiſe, any perſon, which ſhall obſtinately reſuſe to come to ſome Church, Chappell, oz vſuall place of Common pꝛayer, to heare Diuine ſeruice, and ſhall for beare the ſame by the ſpace of a Moneth together, contrarie to the Lawes and Statutes of this Realme: Then euery perſon which ſhall ſo relieue, maintaine, retaine, oz keepe any ſuch perſon offending as afozeſaid, after notice thereof to him oz them giuen by the Ordinarie of the Dioceſſe, oz any Juſtice of Aſſiſes of the circuite, oz any Juſtice of peace of the Countie, oz the Miniſter, Curate, oz Churchwardens of the pariſh where ſuch perſon ſhall then be, oz by any of them, ſhall forfeit to the Queenes Maiestie for euery perſon ſo relieved, maintained, retained, oz kept, after ſuch notice as afozeſaid, x. poundes for euery Moneth that he oz they ſhall ſo relieue, maintaine, retaine, oz keepe any ſuch perſon ſo offending. 35. El. 1.

That ſort of Recuſants may be kept, and by whom.

23 Provided neuertheleſſe, that this Act ſhall not in any wiſe extend to puniſh oz impeach any perſon oz perſons for relieuing, maintaining, oz keeping his oz their wiſe, father, mother, childe, oz children, wardes, brother, oz ſiſter, oz his wiues father oz mother, not hauing any certaine place of habitation of their owne, oz the huſbandes oz wiues of any of them, oz for relieuing, maintaining, oz keeping any ſuch perſon, as ſhall be committed by authoritie to the cuſtodie of any by whom they ſhall be ſo relieved, maintained, oz kept: any thing in this Act to the con-

contrarie notwithstanding. 35. El. 1.

24 All and euery the paines, duties, forfeitures, and payments, which at any time hereafter shall accrue, grow, or be payable by vertue of this Act, or of the Statute made Anno 23. Eliz. concerning Recusants, shall and may be recovered and leuied to her Maiesties vse by Action of debt, Bill, Plaint, Information, or otherwise, in any of the Courts commonly called the Kings Bench, Common ples, or Elchequer, in such sort, and in all respects, as by the ordinarie course of the Common lawes of this Realme, any other debt due by any such person, in any other case, should or may be recovered, or leuied, wherein no C. P. or C. T. shall be admitted or allowed. 35. El. 1.

How, & where the forfeitures shall be recovered.

25 Provided alwaies, that the third part of the penalties to be had or receiued by vertue of this Act, shall be imployed and bestowed to such good and charitable vses, and in such maner and forme as is limited and appointed in the Statute made Anno 28. Eliz. touching Recusants. 35. El. 1. S. 15.

The third part of the penalties imploied.

26 Provided that no Popish Recusant, or Feme couert shall be compelled or bound to Abiure, by vertue of this Act. 35. El. 1.

Popish Recusant, feme couert.

27 Provided also, that euery person that shall Abiure by force of this Act, or refuse to Abiure, being thereunto required, as aforesaid, shall forfeit and lose to her Maiestie all his goods and chattels for euer: And shall further lose all his lands, tenements, and hereditaments, for, and during the life onely of such offendour, and no longer. And the wife of any offendour by force of this Act, shall not loose her dower: Nor any corruption of blood shall grow, or be, by reason of any offence mencioned in this Act: But that the heire of euery such offendour by force of this Act, shall and may after the death of euery offendour, haue and enioy the landes, tenements, and hereditaments of such offendour, as if this Act had not bin made. 35. El. 1. 39. El. 18. This Act shall continue untill the end of the next Parliament.

The forfeiture of him which abiureth, or refuseth to abiure.

28 Euery person aboue the age of xvi. yerres, bozne within any the Queenes Maiesties Dominions, or made Denizen, being a Popish Recusant, and before the end of this Session of Parliament conuicted for not repairing to some Church, Chappell, or vsuall place of Common praier, to heare diuine Seruice there, but for bearing the same contrarie to the tenour of the Lawes and Statutes heretofore made and provided in that behalfe, and hauing any certein place of dwelling and abode within this Realme, Shall within fortie daies next after the end of this Session of Parliament (being 10. Aprilis; An Dñi 1593.) (if they be within this Realme, and not restrained or stayed, either by imprisonment, or by her Maiesties commaundement, or by any order and direction of some sixe or moze of the priuie Counsell, or by such sicknesse, or infirmitie of body, as they shall not be able to trauell without imminent danger of life, and in

A conuicted popish Recusant must repaire to his house, and not remoue a-boue v. miles,

such cases of absence out of the Realme, restraint or stay, then within xx. daies next after they shall returne into the Realme, and be enlarged of such imprisonment, or restraint, and shall be able to trauell) repaire to their place of dwelling, where they vsually heretofore made their common abode, and shall not at any time after passe or remoue aboue five miles from thence, 35. El. 2.

Recusants
which shall
be hereafter
conuicted.

29 Every person being aboue the age of xvi. yerres, bozne within any her Maiesties Realmes or Dominions, or made Denizen, and hauing, or which hereafter shall haue any certein place of dwelling and abode within this Realme, which being then a Popish Recusant, shall at any time hereafter be lawfully conuicted for not repairing to some Church, Chappell, or vsuall place of Common prayer to heare diuine Seruice there, but forbearing the same contrarie to the said Lawes and Statutes, and being within this Realme at the time that they shall be conuicted, shall within xl. daies next after the same conuiction (if they be not restrained or stayed by imprisonment, or otherwise, as is aforesaid, and in such cases of restraint and stay, then within xx. daies next after they shall be enlarged of such imprisonment, or restraint, and shall be able to trauell) repaire to their place of vsuall dwelling & abode, and shall not at any time after, passe or remoue aboue five miles from thence, vpon paine that euery person & persons that shall offend against the tenour and intent of this Act, in any thing befoze mencioned, shall loose and forfeit all his and their goods and chattels, and shall also forfeit to the Queenes Maiestie, all the lands, tenements, and hereditaments, and all the rents and annuities of euery such person so doing or offending, during the life of the same offendour, 35. El. 2.

A Recusant
not hauing
any certein
place of abode.

30 Every person aboue the age of xvi. yerres, bozne within any her Maiesties Dominions, not hauing any certein place of dwelling & abode within this Realme, and being a Popish Recusant not vsually repairing to some Church, Chappell, or vsuall place of Common prayer, but forbearing the same contrarie to the same Lawes and Statutes in that behalfe made, shall within fortie daies next after the end of this Session of Parliament (if they be then within this Realme, and not imprisoned, restrained, or stayed as aforesaid, and in such case of absence out of the Realme, imprisonment, restraint, or stay, then within twentie daies next after they shall returne into the Realme, and be enlarged of such imprisonment, or restraint, and shall be able to trauell) repaire to the place where such person was bozne, or where the Father or Mother of such person shall then be dwelling, and shall not at any time after remoue or passe aboue five miles from thence, vpon paine that euery person and persons which shall offend against the tenour and intent of this Act in any thing befoze mencioned, shall loose and forfeit all his and their goodes and chattels, and shall also forfeit to the Queenes Maiestie all the

the landes, tenements, and hereditaments, and all the rents and annuities of euery such person so doing or offending, during the life of the same person. 35. Cl. 2.

31 Euery such offendor, as is befoze mencioned, which hath or shall haue any landes, tenements, or hereditaments, by copie of Court rolle, or by any other customarie tenure at the will of the Lord, according to the custome of any manor, shall forfeit all and singuler his and their said landes, tenements, and hereditaments so holden by copie of Court rolle or customarie tenure as aforesaid, for and during the life of such offendor (if his or her estate so long continue) to the Lord, or Lords of whom the same bin immediatly holden, if the same Lord or Lordes be not then a Popish Recusant, and conuicted for not comming to Church to heare diuine seruice, but for bearing the same contrarie to the Lawes and Statutes aforesaid, nor seised or possessed vpon trust to the vse or behoofe of any such Recusant as aforesaid, And in such case the same forfeiture to be to the Queenes Maestie. 35. Cl. 2.

The offendor shall forfeit his copyhold land.

32 All such persons, as by the intent and true meaning of this Act, are to make their repaire to their place of dwelling and abode, or to the place where they were bozne, or where their Father or Mother shall be dwelling, and not to remoue or passe aboue five miles from thence as is aforesaid, Shall within xx. daies next after their comming to any of the said places (as the case shall happen) notifie their comming thither and present themselves, and deliuer their true names in wricing to the Minister or Curate of the same Parish, and to the Constable, Headborough, or Tythingman of the towne, and thereupon the said Minister or Curate shall presently enter the same into a booke to be kept in euery parish for that purpose. And afterward the said Minister or Curate, and the said Constable, Headborough, or Tythingman, shall certifie the same in wricing to the Iustices of the peace of the same Countie at the next generall or quarter Sessions to be holden in the same Countie. And the said Iustices shall cause the same to be entred by the Clerk of the peace in the rolles of the same Sessions. 35. Cl. 2.

The offendor shall notifie his coming to his place of aboad.

33 If any person or persons being a Popish Recusant not being a feme couert, and not hauing lands, tenements, rents, or annuities of an absolute estate of inheritance, or freehold of the cleere yeerely value of twentie Markes, aboue all charges, to their owne vse and behoofe, & not vpon any secret trust or confidence for any other, or goods and chattels in their owne right, and to their owne proper vse and behoofe, and not vpon any such secret trust or confidence for any other, aboue the value of xl. poundes, Shall not within the time befoze in this Act, in that behalfe limited and appointed, repaire to their place of vsuall dwelling and abode (if they haue any) or els to the place where they were bozne, or where their Father or Mother shall be dwelling, according to the tenor & intent

A Recusant of small abilitie not repairing to the place appointed, or thence departing.

of this present Act, And thereupon notifie their comming, and deliuer their true names in wryting to the Minister or Curate of the parish, and to the Constable, Headborough, or Tythingman of the towne, within such time, and in such maner and forme as is aforesaid, or at any time after such their repairing to any such place as is before appointed, shall passe or remoue aboue fve miles from the same: And shal not within three Monethes next after such person shall be apprehended or taken for offending as is aforesaid, conforme themselves to the obedience of the Lawes and Statutes of this Realme in comming vsually to the Church to heare Diuine seruice; and in making such publique confession and submission, as hereafter in this Act is appointed and expressed, being thereunto required by the Bishop of the Dioces, or any Iustice of the peace, of the Countie where the same person shall happen to be, or by the Minister or Curate of the Parish: In euery such case, euery such offendour being thereunto warned or required by any two Iustices of the peace, or Coroner of the same Countie where such offendour shall then be, shall vpon his and their corporall oath before any two Iustices of the peace, or Coroner of the same Countie, Abiure this Realme of England, and all other the Queenes Maiesties Dominions for euer, and thereupon shall depart out of this Realme at such Hauen and Port, and within such time, as shall in that behalfe be assigned and appointed by the said Iustices of peace, or Coroner, before whom such Abiuration shall be made, vnesse the same offendours be letted or stayed by such lawfull and reasonable meanes or causes, as by the Common lawes of this Realme are permitted and allowed in cases of Abiuration for Felonie, and in such cases of let or stay, then wythin such reasonable and conuenient time after, as the common Law requireth in case of Abiuration for felonie, as is aforesaid. And euery Iustice of peace, and Coroner, before whom any such Abiuration shall happen to bee made, as is aforesaid, shall cause the same presently to be entred of recorde before them, and shall certifie the same before the Iustices of Assises and Gaole deliuerie of the said Countie, at the next Assises or Gaole deliuerie to be holden in the same Countie: And if any such offendour, which by the tenour and intent of this Act, is to be Abiured, as is aforesaid, shall refuse to make such Abiuration, as is aforesaid, or after such Abiuration made, shall not goe to such Hauen, and within such time as is before appointed, and from thence depart out of this Realme, according to this present Act, or after such his departure, shall returne, or come againe into any her Maiesties Realmes or Dominions, without her Maiesties speciall licence in that behalfe first had and obtayned: Then in euery such case the person so offending, shall be adiudged a Felon, and shall suffer and loose, as in case of Felonie without benefit of Clergie. 35.

Abiuration.

Refusing to abjure, departing or returning without licence.

34 If any of the persons, which are hereby limited and appointed to continue and abide within five miles of their usual dwelling place, or of such place where they were borne, or where their father or mother shall be dwelling, as is aforesaid, shall have necessarie occasion or businesse, to goe and trauaile out of the compasse of the said five miles: Then and in euery such case vpon licence in that behalfe to be gotten vnder the handes of two of the Iustices of the peace of the same Countie, with the priuie and assent in writing of the Bishop of the Dioces, or of the Lieutenant, or of any Deputie lieutenant of the same Countie vnder their handes, It shall and may be lawfull for euery such person to goe and trauaile about such their necessarie businesse, and for such time onely for their traauiling, attending, and returning, as shall be comprised in the same licence: any thing before in this Act to the contrarie notwithstanding. 35. Cl. 2.

A Recusant
restrained
may trauell
by licence.

35 Provided that if any such person so restrained as is aforesaid, shall be vrged by Proces without fraud or couine, or be bounden without fraud or couine to make apparance in any her Maiesties courts, or shall be sent for, commaunded, or required by any three or more of her Maiesties priuie Counsell, or by any fower or more of any Commissioners to be in that behalfe nominated and assigned by her Maiestie, to make apparance before her Maiesties said Counsell or Commissioners, that in euery such case euery such person so bounden, vrged, commaunded or required to make such apparance, shall not incurre any paine, forfaiture, or losse, for traouelling to make apparance accordingly, nor for his abode, concerning the same, nor for conuenient time for his retorne backe againe vpon the same. 35. Cl. 2.

Commaunde-
ment.

36 If any such person or persons so restrained as is aforesaid, shall be bound or ought to yeeld and render their bodie to the Shirife of the Countie where they shall happen to be, vpon proclamation in that behalfe without fraud or couine to be made: Then in euery such case, euery person which shall be so bounden, or ought to yeeld and render their body as aforesaid, shall not incurre any paine, forfaiture, or losse for traouiling for that intent and purpose onely without fraud or couin, nor for conuenient time taken for their retorne backe againe vpon the same. 35. Cl. 2.

A restrained
person bound
may yeeld his
body to the
Shirife.

37 If any person or persons, that shall at any time hereafter offend against this Act, shall before he or they shall be thereof conuicted, come to some parish Church, on some Sunday or other Festiuall day, and then and there heare Diuine Seruice, and at seruice time before the Sermon, or reading of the Gospell, make publique and open Submission and declaration of his and their conformitie to her Maiesties Lawes & Statutes, as hereafter in this Act is declared and appointed: Then the same offence shall thereupon be clerely discharged, of, and from all and euery paynes and forfaitures inflicted or imposed by this Acte, for any of

Submission,

The fourme of
the submission.

the said offences in this Act contained: The same Submission to be made as hereafter followeth: that is to say, I A. B. doe humbly confesse, and acknowledge that I haue greuously offended God, in contemning her Maiesties godly and lawfull gouernment and authozitie, by absenting my selfe from Church, and from hearing Diuine seruice, contrarie to the godly Lawes and Statutes of thys Realme, And I am hartely sozie for the same, and doe acknowledge and testifie in my Conscience, that the Bishop of See of Rome hath not, nor ought to haue any power or authozitie ouer her Maiestie, or within any her Maiesties Realmes or Dominions: And I doe promise and protest, without any dissimulation, or any colour or meanes of any dispensation, that from henceforth I will from time to time, obey and performe her Maiesties Lawes and Statutes in repairing to the Church, and hearing Diuine seruice, and doe mine vttermost indeuour to maintaine and defend the same. And euery Minister or Curate of euery parish where such submission and declaration of conformance shall hereafter be so made, by any such offendour as aforesaid, shall presently enter the same into a Booke to bee kept in euery Parish for that purpose, and wythin tenne dayes then next following, shall certifie the same in wryting to the Bishop of the same Dioces. 35. El. 2.

The submission
entered into
a booke.

The offendour
falling into
relapse.

38 Provided neuerthelesse, that if any such offendour after such submission made as is aforesaid, shall afterward fall into relapse, or estoones become a Recusant in not repaying to Church to heare Diuine seruice, but shall forbear the same, contrarie to the Lawes and Statutes in that behalfe made and provided: That then euery such offendour shall loose all such benefite, as he or she might otherwise by vertue of this Act, haue or inioy by reason of their said submission, and shall thereupon stand and remaine in such plight, condition, and degree, to all intents, as though such submission had neuer bin made. 35. El. 2.

Maried wo-
men bound.

39 All and euery woman maried, or hereafter to be maried, shall be bound by all and euery article, branch, and matter contained in this Statute, other then the branch and article of Abiuration before mencioned. And no such woman maried, or to be maried during mariage, shall be in any wise forced or compelled to Abiure, or be Abiured by vertue of this Act: any thing therein contained to the contrarie notwithstanding. 35. El. 2.

1 The penaltie of such Recusants that doe refuse to pay their first frutes or tenthes. S. Ecclesiast. 24. 29.

Redisseisin.

Who shall
maintaine a
writ of Redis-
seisin.

If any man be disseised of his freehold, and doth recouer his seisin before the Iustices in Eire, by Assise of Nouel disseisin, or by confession of him which did the disseisin, and hath seisin deliuered vnto him by the Shirife, if the

if the same disseisors, after the departure of the Justices, or in the meane time, do disseise the same plaintife of the same freehold, and thereof be conuict, they shalbe taken and kept in the D. prison. The same remedy shall they haue which do recouer their seisin by Assise of Mortdancest. And the same remedie is of all lands and tenements recouered in the D. court by Iuries, if they be after disseised by the first deforceors, against whom in any maner they haue recouered by Iuries. Merton. 20. H. 3. 3. And they shall haue remedie by writ of redisseisin which haue recouered by default, reddition, or in anie other maner, without recognition of assises, or Iuries, M. 2. 13. Ed. 1. 26. Tenant by Elegit shall haue a writ of Redisseisin M. 2. 13. Ed. 1. 18. and so shall tenant by statute Marchant. 13. E. 1. De Mercatoribus.

2. When the plaintife commeth into the court, he shall haue the D. writ directed to the sherife, wherein shall be contained his declaration of disseisin done vpon disseisin. And the sherife shall be commaunded that he (taking with him the Coroners, & other lawfull knights) shall goe in his owne person to the tenement or pasture whereof the plaint is made, and that he shal make befoze them diligent inquirie by the first Iurozs & other neighbours and lawfull men of the videnage thereof, and if they find him disseised againe, then they shall doe according as is aforesaid. And if it be otherwise found, the plaintife shall be amerced, and the other shall goe quite, but the Sherife shall not execute any such plaint without the D. commaundement, Merton 20. H. 3. 3. The cause and effect of the writ of redisseisin.

3 In writs of Redisseisin double dammages shall be awarded, and they which be taken for Redisseisin be not repleuisable by a common writ, nor shalbe deliuered without the D. speciall commaundement, and that vpon a fine to be made to the Queene for the offence, and if the Sherife doe deliuer them in anie other sort, he shalbe grievously amerced, and they for their offence greatly punished. Marlebr. 52. H. 3. 8. M. 2. 13. Ed. 1. 26. The punishment for redisseisin.

1 That writs of Redisseisin shalbe inrolled and sent yerely vnto the Eschequer. S. Admeasurement. 2.

Reliefe.

If any Earle, Baron, or other of the Queenes tenants, which holdeth of her Grace in Capite by knights seruice doe die, and his heire of full age, and oweth vnto the Queene reliefe, he shall haue his inheritance for the auncient reliefe, That is to say, the heire or heires of an Earle for a whole Earledome C. l. The heire or heires of a Baron, for a whole Baronie, C. markes, The heire or heirs of a Knight, of a whole Knights fee, C. s. at the most, and he that hath lesse shall giue lesse, according to the ancient custome of fees. Mag. Chart. 9. H. 3. 2. The reliefe of an Earle, Baron, & Knights heire.

1 That an heire which hath beene in warde, shall haue his inheritance without paying reliefe. See Wardes. 3.

2 That

Rents.

2 That the heire of full age at the death of his ancestor, shall onely paie reliefe to his Lord. S.Wardes.9.

Rents.

A remedie for
the Executors
for rents due to
their testator.

The executoꝝ and administꝛatoꝝ of euery tenant in fee simple, tenant in fee taile, and tenant foꝝ terme of life, of rent seruice, rent charge, and fee fermes, vnto whom any such rent oꝝ fee ferme is oꝝ shall be due, and not paid at the time of his death, shall and may haue an action of debt foꝝ all such arrerages against the tenant oꝝ tenants that ought to haue paid the same rent oꝝ fee ferme so being behind, in the life of their testatoꝝ, oꝝ against the executoꝝ and administꝛatoꝝ of the said tenants. And also furthermoꝝe it shall be lawfull to euery such executoꝝ & administꝛatoꝝ of any such person oꝝ persons vnto whom such rent oꝝ fee ferme shall be due, and not paid at the time of his death as is aforesaid, to distraine foꝝ the arrerages of all such rents, and fee fermes, vpon the lands, tenements, and other hereditaments which were charged with the payment of such rents, oꝝ fee fermes, and chargeable to the distresse of the said testatoꝝ, so long as the said lands &c. continue, remain, and be in the seisin oꝝ possession of the said tenant in demesne, who ought immediatly to haue paid the said rent, oꝝ fee ferme so being behind, to the said testatoꝝ in his life, oꝝ in the seisin oꝝ possession of any other person oꝝ persons claiming the said lands &c. only by and from the same tenant by purchase, gift, oꝝ descent, in like maner & foꝝme as their said testatoꝝ mought oꝝ ought to haue done in his life time, and the said executoꝝ & administꝛatoꝝ shall foꝝ the same distresse lawfully make auowꝛie vpon their matter aforesaid. But this acte shall not extende to any such mannoꝝ, lordship, oꝝ dominion in Wales, oꝝ in the marches of the same, whereof the inhabitants haue vsed time out of the mind of man, to pay vnto euery Lord, oꝝ owner of such lordship, mannoꝝ, oꝝ dominion, at his first entrie into the same, any summe oꝝ summes of money foꝝ the redemption, and discharge of all dueties, forfaitures, and penalties, wherwith the said inhabitants were chargeable to any of their said Lords ancestors oꝝ pꝛedecessoꝝ, befoꝝe his said entrie. An. 3 2.H.8. 37.

Redemption
money in
Wales.

The husbands
remedy foꝝ rent
due in the life
of his wife.

2 If any man hauing in the right of his wife any estate in fee simple, fee taile, oꝝ foꝝ terme of life, of oꝝ in any rents, oꝝ fee fermes, and the same rents oꝝ fee fermes shall be due & vnpaid in the said wiues life, then the said husband after the death of his said wife, his executoꝝ and administꝛatoꝝ, shall haue an action of debt foꝝ the said arrerages, against the tenant of the demesne that ought to haue paid the same, his executoꝝ, oꝝ administꝛatoꝝ. And also the said husband after the death of his said wife, may distraine foꝝ the arrerages, in like maner & foꝝme as he might haue done, if his said wife had been then liuing, and make auowꝛy vpon his matter, as is aforesaid. 3 2.H.8. 37.

3 If any person oꝝ persons which shall haue any rents, oꝝ fee fermes
foꝝ

for terme of life or liues of any other person or persons, and the said rent or fee ferme shall be due behinde and unpaid in the life of such person or persons, for whose life or liues the estate of the said rent or fee ferme did depend or continue, and after the said person or persons doe die, then he vnto whom the said rent or fee ferme was due, in forme aforesaid, his executoys and administrators, shall and may haue an action of debt against the tenaunt in demesne that ought to haue payd the same when it was first due, his executoys and administrators, And also distraine for the same arrerages vpon such lands and tenements out of the which the said rents or fee fermes were issuing and payable, in such like manner and forme, as he ought or might haue done, if such person or persons (by whose death the aforesaid estate in the said rents and fee fermes was determined) had beene in full life and not dead, And the auowry for the taking of the same distress shall be made in maner and forme aforesaid, 32.H.8.37.

The remedie for a rent the estate whereof dependeth vpon anothers life being dead.

1 That Assise of rent issuing forth of tenements in feuerall counties, shall be holden in the borders of the same Countie. S. Assise. 7.

2 How mesne Lords shalbe answered their chiefe rents due to them during the minority of the Queenes warde. S. Wards 17.

Remouing of prisoners, or Records.

NO writs of Habeas corpus, or Cerciorari, shalbe granted to remoue any prisoner out of any gaole, or to remoue anie recognisance, except the same writs be signed with the proper hands of the chiefe Justice, or in his absence of one of the Justices of the Court, out of the which the same writs shalbe awarded or made, vpon paine that he that writeth any such writs, not being signed as is aforesaid, to forfeit. to the D. for euery such writ five pound, 1. and 2. H. and M. 13.

A writ to remoue prisoners or Records.

2 The Justices of the kings bench (for the time being) haue authoritie by their discretions, to remaund and send downe aswell the bodies of all felons & murderers remoued or brought before the Queene in her bench, as their indictments, into the counties whereas the same murders or felonies haue bin committed and done, and to command all Justices of gaole deliuerie, Justices of peace, and all other Justices and commissioners, and euery of them, to proceede and determine vpon all the aforesaid bodies and indictments so remoued, after the course of the common law, in such maner, as the same Justices of gaole deliuerie, Justices of peace, and other commissioners or any of them mought or should haue done, if the said prisoners or indictments had neuer beene brought into the said Kings bench. An. 6. H. 8. 6.

Remanding of prisoners out of the kings bench into the countie to be tried.

1 Where the bodie of one in execution being remoued by Corpus cum causa, shalbe remanded. S. Corpus &c. 1.

2 For the remouing of a Repleg. out of the Countie by Recordare. S. Repleuin 2.

Repleuin.

Who shall re-
pleuy a distress.

If any mans cattell be taken, and wrongfully withholden, the Sherif after complaint to him made, may deliuer them without any let or contradiction of him that tooke the cattell, if they were taken out of liberties, and if the cattell were taken within any liberties, and the bailifs of the liberties will not deliuer them, then the Sherife for default of those bailifes shal cause them to be deliuered. Marleb. 5 2. W. 3. 21.

Recozdare.

2 If any Lordes doe distraine their tenants for any seruices or customes being due vnto them, and the tenants doe repleuie the distresse by writ, or without writ, and the Lords (at the complaint of the tenants) doe by attachment come to the countie, or other Court hauing power to hold plea De verito namio, and doe auow their distresse reasonable and iust, if the tenants doe disauowe to holde, or doe claime to hold nothing of him which tooke the distresse, if such lords in the county or other courts cannot obtaine iustice of their tenants but shalbe amerced, and their tenants discharged, for that they cannot be punished for the same disauowing by recozd of that Countie, or other courts, hauing no recozd: as soone as they shalbe attached at their tenants suit, a writ shall be granted vnto them to remoue the suit befoze the Iustices befoze whom (and not elsewhere) Iustice shalbe ministred to such Lords, and the cause shalbe declared in the writ (because such a man hath distrained in his fee for seruice and customes due vnto him) yet this statute is no derogation to the law commonly vled, which doth not suffer any plea to be remoued befoze the Iustices, at the suit of the defendant. For though at the first shew the tenant seemeth to be plaintife, and the lord defendant, yet hauing respect to that the lord doth distraine and sue for his seruices and customes behinde, he shall rather appeare plaintif then defendant. West. 2. 13. Ed. 1. 2.

Pledges to
prosecute the
suite, and to
make returne.

3 Least that after the tenant hath repleuied his beasts, he should sell them, or drine them far off, whereby the Lord which distraineth cannot haue returne if it be adiudged for him, the Sherife or his bailifes shall not take of the plaintiffs, pledges onely to prosecute their suite befoze they make deliuerance of their beasts, but also to returne them, if returne be awarded. And if any doe take pledges in other sort, he shall answere the price of his cattell, and the lord which distraineth shall haue his recouerie by writ, that he shall deliuer him so manie beasts or cattell, and if the bailife haue not wherewith to satisfie, his Lord shall pay it. West. 2. 13. Ed. 1. 2. S. Second deliuerance.

A distress taken
vpon a suite
commenced
by the procure-
ment of others.

4 If the Lords of Courts, or other Court holders or Stewards willing to trouble those which be in subiection vnto them, hauing no lawfull cause or meanes to griene them, will procure others to commence suits against them, and to giue gages, offer pledges, or purchase writs, and at the suits of such plaintiffs will cause them to resort vnto the countie, hundred, wapentake, and other Courts, vntill they haue paid them a fine, according to their owne request, which is not lawfull to be done:

Therefore

Therefore in this case if any man be attached by any such false complaints, he shall repleuie his distresse so taken, and remoue the suit befoze the Iustices, befoze whom if the Sherife, or any other Bailife or Lord (after the party so distrained hath framed his complaint) will auow the distresse by reason of any such complaints befoze them made. And if it be relied, that the same complaints were maliciously mooued against them at the instance or procurement of the Sherife or other Bailife or Lords, the replication shall be admitted, and if they be thereupon conuicted, they shall pay a grieuous amerciament to the Queene, & answer to the partie grieved treble damages. West. 2. 13. Ed. 1. 37. S. Auowrie.

1 How manie deputies euerie Sherife shall ordaine to make Repleuies, and where. S. Sherifs 22.

2 Where the Sherife shall direct his precept to the bailife of a libertie, and where he himselfe shall repleuie a distresse. S. Sherifs. 30.

3 In what case an accomptant is not repleuisable. S. Accompt. 2.

Restitution.

If any Felon or Felons doe robbe or take away any money, goods or cattels, from any of the Queenes subiects, from their person, or otherwise within this Realme, and thereof be indicted, and after arraigned of the same felony, and found guilty thereof, or otherwise attainted by reason of euidence giuen by the party so robbed, or owner of the said money, goods, or cattels, or by any other by their procurement, then the party robbed or owner shall be restored to his said money, goods, and cattels. And aswel the Iustices of gaole deliuary, as other Iustices befoze whom any such Felon or felons shall be found guiltie, or otherwise attainted by reason of euidence giuen by the parties so robbed or owner or by any other by their procurement, haue power to award from time to time, writs of restitution for the said money, goods, and cattels, in like maner, as though anie such felon or felons were attainted at the suite of the partie in appeal. 21. H. 8. 11.

Restitution of stolen goods, after the attainer of the felon.

Returne of Sherifes.

They which doe feare the indirect dealing of Sherifes, may deliuer their originall and iudiciall writs in the open Countie, or in some other place of the shire, where collection of the Queenes money is made, & may take a bill of the Sherife or vndersherife, being present, in which shall be contained the names of the demaundants and tenants named in the writ, & upon his request which deliuered the writ, the Sherife or vndersherifes seale shall be put to the bill for a witnes (without anie thing taking herefoze, 2. Ed. 3. 5.) And mention shall be made of the day of the deliuerance of the writ. And if the Sherife or vndersherife will not put his seale to the same bill, witnesse shall be take of knights & other credible persons which be present, the which shall put their seales to the same bill, & if the Sherife wil not returne writs deliuered vnto him, & thereupon complaint

The maner how writs shall be deliuered to be executed.

Returne of Sherifes.

be made to the Iustices, a Iudiciall writt shall be directed to the Iustices of assise, that they shall enquire by those that were present when the writt was deliuered vnto the Sherife, if they know of the deliuerance, which inquisition shall be returned. And if it be found thereby, that the writt was deliuered vnto him, damages shall be awarded to the plaintife or demandant, hauing respect to the quantitie & qualitie of the action, and to the perill which might haue chaunced vnto him by the delay which he suffered (And also the Iustices of assise haue power to enquire thereof at euery mans complaint, and to award damages vt supra ꝛc. 2. Ed. 3. 5.) And by this meane remedie shall be had when the Sherife doth returne that the writt came too late, whereby he could not execute the Queenes commandement, West. 2. 13. Ed. 1. 39. S. Sherifes. 10. That euery Sherife shall make a deputie in the Chauncerie, kings Bench, Common place, & Eschequer to receiue all writts and warrants to be deliuered vnto them.

Deputies to
receiue writts.

Returning of
a libertie
where none is.

2 If the Sherife doe returne, that he hath commaunded the Baylifes of some libertie, which did nothing therein (where indeede there is no such libertie within that Countie, which euer had returne of writts, then the Sherife shall be punished as a disinheritor of the Queene and her crowne, West. 2. 13. Ed. 1. 39.

Precept direc-
ted to the Bai-
lifes of a liber-
tie.

3 If the Sherife doth returne, that he hath directed his precept to the Bailifes of some libertie (which indeed haue returne of writts) which did nothing therein, then the Sherife shall be commaunded, that he shall not omit for any libertie aforesaid, but shall execute the Queenes commandement, & that he shall warne the bailifes to whom he returned the writt that they shall appeare at a day contained in the writt, to answer why they did not execute the Queenes precept. And if they doe appeare at the day, & do acquit themselves, that the writt was not returned vnto them the Sherife shall be forthwith condemned to the Lord of the same libertie and likewise to the partie grieved by the delay, to restore him damages But if the bailifes do not appeare, or do appeare, and do not acquit themselves in forme aforesaid, in euery iudiciall writt, so long as that suit dependeth, the Sherife shall be commaunded, that he spare for no libertie &c West. 2. 13. Ed. 1. 39.

Non omittas
propter aliquam
libertatem.

Returning
of issues.

4 If the Sherife do returne no issues, or small issues, where he may returne greater, if the Plaintife wil desire to heare the Sherifes returne he shall, and if he will offer to proue that the Sherife might haue returned greater issues to the Queene, he shall haue a iudiciall writt to the Iustices of assise, that they shall enquire in the presence of the Sherife (if he will be present) of what, and how great issues the Sherife might haue made his returne, from the day of the writt purchased, vnto the day contained in the writt (videlicet of the returne thereof) and when the inquisition is returned, if he hath not fully answered before, he shall be charged with the ouerplus, by the effects of the Iustices deliuered into the Eschequer,

uer, and neuerthelesse shalbe grieuouſly amerced. And the Sherife ought to know that rent, Cozne in grange, and all moueables, beſides hoſſe, apparel and houſhold ſtuffe are contained vnder the name of iſſues, *Westminster. 2. 13. Ed. 1. 39.* What be iſſues.

5 The Sherife ought not to returne that he could not execute the Queenes precept, by reſiſtance of the power of any Noble man, for that returne tendeth to the diſhonour of the Queene and her Crowne, for as ſone as his Under bailifes do teſtifie that they found ſuch reſiſtaunce, the Sherife forthwith (all buſines ſet apart, taking with him the power of his Countie) ſhall goe in his owne perſon to doe execution, and if he finde his underbailifes falſe, he ſhall impriſon them (that other men may be warned by their puniſhment.) And if he finde them true, he ſhall impriſon the reſiſtors, from which priſon they ſhall not be deliuered, without the Queenes ſpeciall commandement. And if the Sherife at his coming find ſuch reſiſtance, he ſhall certiſie the Court of the names of the reſiſtors, their aidors, conſentors, commaunders, and fauourers, which ſhalbe attached by a iudiciall writ, to appeare at the Q. Court, and if they be conuicted of ſuch reſiſtance, they ſhall be puniſhed at the Queenes pleaſure. But no officer of the Queenes ſhall meddle in aſſigning of the forfeiture and puniſhment, for the Queene onely ſhall do it, for ſuch reſiſters are diſturbers of her peace and Realme. *West. 2. 13. Ed. 1. 39.* Reſiſtance in executing the Queenes writs.

6 There ſhall be an Indenture made betwixt the Bailife of the Fraunchiſe, which hath full returne of writs by his proper name, and the Sherife his proper name, of euery returne which the Bailife of any ſuch Fraunchiſe ſhall make to the Sherife. And if the Sherife do change the returne ſo deliuered vnto him by Indenture, and thereof be attainted at the ſuite of the Lord of the ſame Fraunchiſe, from whence he hath receiued the ſaid returne (if the Lord haue receiued any damage, or if his Fraunchiſes be impaired) and at the ſuite of the partie which hath receiued loſſe by this meanes, he ſhall be puniſhed by the Queene for his falſe returne, and alſo ſhall yeeld to the Lord and the partie double damages. *Stat. Eborum. 12. Ed. 1. 5.* Indenture betwixt the Sherife and bailife of franchiſe of euery returne.

7 Sherifes and other Bailifes which receiue the Queenes writs, returnable into her Court, ſhall put their owne names to the returnes, ſo that the Court may know of whom they take ſuch returnes, if neede be, and if any Sherife or other Bailife do leaue out his name in his returne, he ſhall be grieuouſly amerced to the Queenes uſe. *Stat. Eborum. 12. Ed. 1. 5.* Sherifes and bailifes ſhall put their names to returnes.

8 A man ſhall haue auerrement againſt the falſe returnes of Bailifes of Fraunchiſes, which haue full returne of writtes, and recouer as well againſt them, as againſt the Sherife, as well of ſmall iſſues returned, as in other caſes, ſo that it be not prejudiciall to the Lords, nor to the impairing of their Fraunchiſes, for the puniſhment ſhall fall onely vpon the Auerment againſt the returne of bailifes.

Returne of Sherifes. Riots, Routs, &c.

the Bailifes by the punishment of their bodie if they haue not wherof to answer. 1. Ed. 3. 6.

Excommunicato
capiendo.

9 If anie Sherife, or other hauing authoritie to returne writs, doth make an vntreue returne vpon any Capias, in a writ of Excommunicato capiendo to him directed, that the partie named in the writ hath not yeelded his bodie vpon any Proclamation made, where in deede he hath yeelded himselfe according to the effect thereof, he shall forfeit to the partie grieved xl. s. to be recovered by A. B. P. J. wherein no W. E. P. &c. 5. Eliz. 23. S. Excommunication.

Returne vpon
information,
for giuing of
Liueries.

10 Upon any bill, information, or action exhibited or sued against any person being sufficient, vpon the statute provided 8. Ed. 4. against giuing of liueries or badges, or unlawfull retaining, if the Sherife or Coroner do returne any lesse issues vpon the defendant then xx. s. at the first day of the distresse, at the second day xxx. s. at the third day xl. s. and so at euery day after x. s. more, he shall forfeit for euery returne made against the forme aforesaid xx. s. 8. Ed. 4. 2. S. Sherifes.

Amerciament
of Sherifes for
insufficient
returnes.

11 The chiefe officer or officers of euery of the Queenes Courtes of reuenuue, being of Record, or that shalbe of record, shall haue authoritie to set and aslesse reasonable fines and americiaments vpon any Sherife or Sherifes for not returning or misreturning of any writ to them directed and deliuered out of any of the same Courts, concerning the leuying or answering of any of the said issues, rents, or reuenuues, or of any debt due to the Q. in such sort and after such maner and forme, as now is, or heretofore hath been lawfully vled in the like, & such other cases in the Quene's Court of the Eschequer. 7. Ed. 6. 1.

1 What Iurors, and of what sufficiency, the Sherife in seuerall cases shall returne and vpon what paines. S. Iurors. 12. 13. 14. 16. 19. 20.

2 The sherifs forfeit for not returning of a proclamation sent vnto him in any of the xij. shires in Wales or counties of Lancaster or Chester S. Exigent 8.

Riots, Routs, Vnlawfull assemblies.

The Iustices
& Sherifes shall
arrest those
which commit
riots.

If anie Riot, Assembly, or Rout of people, against the law be made in any part of the Realme, the Iustices of peace, three or two of them at the least, and the Sherife, or Undersherife of the shire where such Riot assembly, or rout shalbe made, shall come with the power of the Countie (if neede be) to arrest them, and shall arrest them. And the same Iustices, Sherifes, or Undersherifes, shall haue power to record that which they shall find done in their presence against the law, and the same trespassors and offenders shalbe conuict by the record of the same Iustices, Sherife, or Undersherife, in maner and forme as is contained in the statute of Forcible entries. 17. R. 2. 8. 13. W. 4. 7. S. Forcible entrie 2.

Enquire of
Riot.

2 If it happen that such trespassors and offenders be departed before the coming of the said Iustices and Sherife, or Undersherife, the same Iustices

Iustices, thre or two of them, shall diligently inquire within a moneth after such Riot, assemblie, or rout of people so made, and the same shall heare & determine according to the Law of this Realme. 13. H. 4. 7.

3 If the truth cannot be found in maner aforesaid, then within a moneth next after, the same Iustices, thre or two of them, and the said Shirife or Undershirife, shall certifie befoze the Queene and her Counsell of the whole fact, and the circumstances thereof, which certificat shall be of the same force that a presentment by twelve men is, vpon which certificat the said trespassers and offenders shall be put to answer, and they which shall be found guiltie, shall be punished by the discretion of the Queene and her Counsell. And if the same trespassers and offenders doe traaverse the matter so certified, the same certificat and traaverse shall be sent into the Kings Bench, there to be tried and determined according to the order of the law. 13. H. 4. 7.

Certifying of the riot to the Queene & her Counsell.

Traaverse of the certificat.

4 If the same trespassors & offenders doe not come befoze the Queene and her Counsell, or into the Kings Bench at the first precept, then another precept shall be directed to the Shirife of the Shire to take the said trespassors and offenders if they may be found, and to bring them at a certaine day befoze the Q. and her Counsell, or into the K. Bench. And if they cannot be found, the Shirife or Undershirife shall make proclamation in his full Countie, next ensuing the deliuerie of the said second precept, that they shall appeare befoze the Q. & her Counsell, or in the Kings Bench, (or in the Chauncerie in the time of vacation) within iii. weekes then next following. And if the offenders do not appeare as is aforesaid, and the proclamation be made and returned, they shall be attainted & convicted of the riot, assemblie, and rout aforesaid. 13. H. 4. 7.

Proces against the offenders.

5 The Iustices of peace which dwell nearest in euery Countie where such riot of people shall be, together with the Shirife or Undershirife of the same Countie, And also the Iustices of Assise, for the time that they shall be in their Sessions, (in case any such riot, assembly, or rout be made in their presence) shall doe execution of this statute, euery one vpon paine of a C. li. to be paid to the Queene as often as they shall be found in default of execution of the same statute. 13. H. 4. 7.

The for. of the Iustices which do not execute this statute.

6 If default be found in the said two Iustices of peace, or Iustices of Assise, & the Shirife or Undershirife of the County where such riot, assembly, or rout shall be made, touching the execution that they ought to make by vertue of the said statute, & whereof the said statute maketh mencion: Then at the instance of the partie grieved, the Queenes commission shall goe out vnder the great Seale, to enquire as well of the truth of the case, and of the originall matter for the partie complainant, as of the default or defaults of the said Iustices, Shirife, or Undershirife in this behalfe supposed, to be directed to sufficient & indifferent persons, at the nomination and by the aduise of the Chaunceloz of England. And the said Commis-

Commissioners to enquire of the Iustices & Shirifes defaults.

Riots, Routs, Vnlawfull assemblies.

tioners incontinent shall send into the Chauncery the enquestes and matters befoze them in this behalfe taken and found, 2. H. 5. 8.

Upon the commission the Coroner shall returne the Jury.

7 The Coroners of the same Countie for the time being, in which Countie such riot, assembly, or rout shall be made, shall make the panell vpon the said commission, returnable, for the time that the Shirife so supposed in default shall remaine in his office, which Coroners shall returne no persons, but onely such which haue lands, tenements, or rents, to the value of x. li. by the peere at the least. And also the same Coroners shall returne vpon euery of the said persons impanelled at the first day, when issues be to be lost xx. s. at the least, at the second day xl. s. at the least, and at the third day l. s. at the least, and at euery day after, the double at the least, which issues so returned because of non apparance of such persons impanelled, shall be forf. to the Queene, and leuiable to her vse. And if default be found in the said Coroners touching the returne of such persons to be impanelled, or touching the returne of such issues, as afoze is said, euery of them shall pay to the Queenes vse xl. pounds, 2. H. 5. 8.

Where the Shirife and not the Coroners shall returne a Jury.

8 And if the said Shirife so reputed in default, be discharged of his office at the time that such commission shall goe out of the Chauncerie, then the new Shirife of the same Countie, his successor, mediat or immediat, and not the Coroners, shall make the panell vpon this commission, returnable in maner and forme, as the said Coroners should doe in time when the Shirife so reputed in default stood in his office. And the same new Shirife shall incurre like paine of xl. li. to the Queene, if any default in him be found, touching the returne of other persons by him impanelled, which haue not landes, tenements, or rents, to the value of x. li. by peere, or of returning such issues as the said Coroners be aboue charged to returne, as the said Coroners be to loose to the Queene in this behalfe. 2. H. 5. 8.

A writ directed to inquire of Riots.

9 The Chaunceloz of England, as soone as he may haue knowledge of such Riot, assembly, or rout, shall cause to be sent the Queenes writ to the Iustice of peace, and to the Shirife, or Undershirife of the Countie where they be so made, that they shall put the foresaid statute of 13. H. 4. in execution, vpon the paine contained in the same. And though that such writ come not to the said Iustices, Shirife, or Undershirife, they shall not be excused of the paine aforesaid, if they make not execution of the said statute. 2. H. 5. 8.

Riots shall be repressed & inquired of at the D. coites.

10 The Iustices and other Officers aforesaid, shall doe their offices aforesaid, at the Queenes coites, in going, tarrying, and returning, in doing their said offices, by payment thereof to be made by the Shirife of the same Countie for the time being, by Indentures betwixt him & the same Iustices, and other Officers aforesaid, to be made of the payment aforesaid, whereof the said Shirife vpon his accompt in the Eschequer, shall haue due allowance, 2. H. 5. 8.

11 Such riotors attainted of great and haynous riots, shall haue one whole yeeres imprisonment at the least, without being let out of prison by bayle, mainprise, or in any other maner during the yeere aforesaid, and the riotors attainted of petite riots, shall haue imprisonment as the D. and her Counsell shall thinke good. 2.H. 5. 8. The punishment of Riots.

12 The Queenes liege people being able to trauell in the Countie where such riots, assemblies, or routs be, shall be assistant to the Iustices, Commisshners, Shirife, or Undershirife of the same Countie, when they shall be reasonably warned, to ride with the said Iustices, Shirife, &c. in aide to resist such riots, routs, & assemblies, vpon paine of imprisonment, and to make fine and ransome to the Queene. 2.H. 5. 8. Each man shall help to repress riots.

13 The Bailifes of franchises shall impanell sufficient people as befoze, vpon paine to loose to the Queene xl. li. in case that such sufficient persons may be found within the said franchises. And like ordinances and paines shall hold place and take effect in Cities, Boroughes, and other places and townes infranchised, which haue Iustices of peace within them. 2.H. 5. 8. Bailifes of franchises.
Riots in cities & townes corporate.

14 If any riot, rout, or vnlawfull assembly be committed within this Realme, the Shirife hauing a Precept directed to him, shall returne xliii. persons dwelling within the Shire, where such Riot &c. shall be so committed, whereof euery of them shall haue lands and tenements within the same Shire, to the yeerely value of xx. s. of charter land, or freehold, or xvi. s. viii. d. of copyhold, or of both, aboue all charges, for to inquire of the said riot &c. And he shall returne vpon euery person so by him impanelled in issues at the first day xx. s. at the second xl. s. (if that they appeare not and be swozne to enquire of the premisses at the first day.) And if default be found in the Sherife or Undersherife for returning of other persons not being of the said sufficiency, or for not returning issues in forme aforesaid, then the said Sherife shall forfeit to the Queene for eyther xx. li. 19.H. 7. 13. A Jury to inquire of Riots.

15 If the said riot, rout, or vnlawfull assembly be not found by the said Jury, by reason of any maintenance or imbracery of the said Iurozs, then the same Iustices, & the Sherife or Undersherife (besides such certificat that they be bound to make according to the foresaid statute of 13.H. 4.) shall in the same certificat certifie the names of the mainteinors and imbracers in that behalfe (if any be) with their misdeameanz that they know vpon paine of euery of the said Iustices & Sherife or Undersherife, to forfeit. x. li. if they haue no reasonable excuse, for not certifying of the same, which certificat so made shall be of like force and effect in the law, as if the matter contained in the same were duely found by the verdict of xii. men, And euery person duely prooued to be a mainteinor or imbraceor of the same, shall forfeit to the Queene xx. li. and shall be committed to ward, there to remaine by the discretion of the Iustices, 19.H. 7. 13. Maintenance whereby a riot is not found by the Jury.
The punishment of the mainteinors & imbraceors.

Riots, Routs, Vnlawfull assemblies.

**xij. or above
assembled to
change any
Lawes.**

16 If any persons to the number of twelue, or above, being assembled together, shall intend, goe about, practize, or put in vze with force of armes vnlawfully, and of their owne authoritie, to alter or change any Lawes made or established for Religion by authoritie of Parliament which stand in force, or any other Lawes or estatutes of this Realme, or any of them, the same number being commaunded or required by the Shirife of the Shire, or by any Iustice of peace of the same shire, or by the Maior, Shirife, Iustices of peace, or Baylifes of any Citie, Borough, or Towne corporate, where any such assemblies shall be vnlawfully had, or made, by Proclamation in the Queenes name, to retire and repaire to their owne houses and habitations, or places from whence they came: And they or any of them notwithstanding such Proclamation, shall remaine and make their abode or continue together by the space of one whole hower, after such commaundement or request made by Proclamation, or after that shall willingly in forcible and riotous maner attempt to doe, or put in vze any the things aboue specified: Then aswell euery such abode or continuing together, as euery such act or offence, that after such commaundement or request by Proclamation had or made, shall be attempted to be done, practized, or put in vze by any persons being of the number aforesaid, shall be iudged Felony in all & singuler those persons that so shall make their abode or continue together, or shall attempt or commit any such act. And the offenders therein shall be adiudged felons, & shall suffer onely execution of death, as in case of felonie. 1. M. 12. 1. Cl. 16.

**Practizing to
destroy parks,
ponds, con-
dits.**

17 If any persons to the said number of xii. or above, shall intend, goe about, practize, or put in vze, in maner & forme aforesaid, to ouerthrow, cut, break, cast downe, or dig vp the pales, hedges, diches, or other inclosure of any parks or park, or other grounds or ground inclosed, or the bankes of any fish pond, or poole, or any Condit for water, Condit heads, or condit pipes hauing course of water, to the intēt that the same, or any of them from thenceforth should remaine open, not inclosed, or void, or vnlawfully to haue common, or way in the said parkes or park, or other grounds or ground inclosed, or in any of them, or to destroy in maner & forme aforesaid, the Deere in any parkes or park, or any warrens or warren of Conies, or any Dovehouses, or any fish in any fishpond, or poole, or to pull or cut downe any houses, barnes, milles, or baies, or to burne any stacks of corne or graine, or to abate or diminish the rents, or yeerely value of any manors, lands, or tenements, or the price of any victuall, corne or graine, or any other thing vsuall for the sustenance of men, & being required or commaunded by any Iustice of peace, or by the Shirife of the Countie, or by the Maior, Bailife or Bailifes, or other head Officers of any citie, or towne corporate, where such assembly shall be had, by proclamation to be made in the Queenes name, to retire or returne in peaceable maner, to their places & houses from whence they came, & they, or any of them (not-
with-

**Common of
Way.**

**Destruction of
Deere, Conies,
dovehouses,
fish.
Pulling downe
houses, burning
stacks of corne,
abating of rents**

withstanding such Proclamation) shall remaine or make their abode or continue together by the space of one whole houre after such commaundement or request made by proclamation, or after that shall in forcible manner do or put in vze any of these things last before mencioned: Then as well euery such abode or continuing together, as euery such act that after such commaundement or request by Proclamation had or made, shall be done, practized, or put in vze, by any persons being aboue the number of twelue, shall be adiudged Felonie, and the offenders therein shall be adiudged Felons, and shall suffer onely the execution of death, as in case of felonie. 1. M. 12. 1. Cl. 16.

18 If any person or persons, vnlawfully, and without authoritie, by ringing of any bell, or belles, sounding of any trumpet, or drumme, horne, or other instrument whatsoever, or by fiering of any Beakon, or by malicious speaking or uttering of any words, or making any outcrie, or by setting by, or casting of any billes or bill, or writing whatsoeuer, or by any other deed or act, shall raise, or cause to be raised or assembled any persons to the number of xii. or aboue, to the intent that the same persons should do or put in vze any of the things aboue mencioned, and that the persons to the number of xii. or aboue, so raised & assembled, after request or commaundement had or giuen, in forme aforesaid, shall make there abode or continue together, as is aforesaid, or vnlawfully & in forcible maner perpetrat, do, commit, or put in vze any of the actes or things abouesaid: Then all & singular persons by whose speaking, deede, act, or any other the meanes aboue specified, any persons to the number of xii. or aboue, shall be raised or assembled for the doing, committing, or putting in vze any of the acts or things aboue mencioned, shall be adiudged for his so speaking or doing, a felon, & shall suffer execution of death, as in case of felony. 1. M. 12. 1. Cl. 16.

19 If any wife or seruant of any of the same persons, or any other person whatsoever, shall willingly and without compulsion, bring, send, deliuer, or conuey, any money, harneis, artillerie, weapon, meat, bread, drink, or other victuall, to any person or persons so being assembled, as is aforesaid, during such time as he or they shall so be assembled or be together, as is aforesaid: Then euery wife, seruant, or other person so bringing or conueying &c. any of the foresaid things to the same persons so being assembled together in forcible maner, or to any of them, and not departing to their houses or dwelling places vpon request or commaundement made vnto them as is aforesaid, shall be adiudged a Felon, and shall suffer execution of death, as in case of felonie. 1. M. 12. 1. Cl. 16.

20 If any persons aboue the number of two, and vnder the number of twelue, being assembled together, shall intend, goe about, practice, or put in vze with force of armes, vnlawfully, and of their owne authoritie, to murder, kill, or slay any of the Queenes subiects, or to ouerthrow, cut, breake, or cast downe, or dig vp the pales, hedges, diches, wall, or other

Riots, Routs, Vnlawfull assemblies.

closure of any parkes, parke, or other ground inclosed, or the banke of any fish pond, or poole to the intent that the same, or any of them from thenceforth should remaine open, not inclosed, or void, or to haue common or way in the same parkes or park, or grounds or ground inclosed, or in any of them, or to destroy any parkes or park, or fish pond, or poole, or any warrens or warren of conies, or any douehouses, or to pull or cut downe any house, barne, mill, or to burne any stackes of cozne or graine, or to alter, defalke, or abate the rents, or yeerely value of any manors, lands, or tenements of any the Queenes subiects, or the price of any victuall, cozne or graine, or any other thing vsuall for the sustenance or apparell of men, & being required or commaunded by any Iustice of the peace, or by the Shiris of the Countie, or by any Maiors, Bailifes or Bailif, or other head Officer of any citie, or towne corporat, where such assembly shall be had, by Proclamation to be made in the Queenes name, to retire or returne to their habitations, places, or houses, and they so required by such proclamation, shall not so doe, but after that shall in forcible maner in forme aforesaid, attempt to doe, or put in vze any of the things last aboue mentioned: Then euery of the same persons being aboue the number of two, and vnder the number of twelue, shall suffer imprisonment of his or their bodie by the space of one yeere without bayle or mainprise. And also if any person or persons shall be dammified or hurt by the doing, committing or putting in vze of any vnlawfull act or thing aboue mencioned, then all and singular persons so dammified & hurt, shall recouer and haue dammages with the costes of their suit sustained in that behalfe trebled against the offendors therein. 1. M. 12. 1. El. 16.

The party
griued shall
recouer treble
damunages.

Raising of po-
wer to suppress
vnlawfull as-
semblies.

21 If any persons aboue the number of two, shall be vnlawfully & of their owne authozity assembled together, to the intent with force & armes to doe, practize, or put in vze, any of the things aboue mencioned: Then it shall be lawful to euery Iustice of peace, & to euery Shirife in any Countie being within the Queenes dominions, & to euery Maior, Bailife, & other head Officer of any citie, or town corporat, for the time he shall be in office, or any other person or persons hauing the Queens commission, or letters from her Highnesse, aswell to raise and assemble the Queenes louing subiects in maner of warre to be arraied, in such great number, as he or they then shall think meete, or able, to the intent by violence & strength to suppress, apprehend, and take the said persons that so shall be vnlawfully assembled. And if the said persons so vnlawfully assembled, after such commaundement or request by proclamation made, shall continue together, & not indenuour themselves to returne towards their habitations, houses, or places from whence they came, in such short time as they may conueniently: Then it shall be lawful to euery Iustice of peace, Shirife, and also euery Maior, Bailife, and other head Officer of any citie, or towne corporat, and to euery other person hauing authozitie as is aforesaid, after such commaundement or request by Proclamation made, and to such per-
sons

sons as shall be assembled with any Iustice of peace, or Shirife, or with any Maio, Bailife, or other head Officer of any citie, or towne corporat, and with euery other person hauing authoritie as is aforesaid, to suppress, apprehend, and take those persons so vnlawfully assembled, which after such proclamation made, shall continue together and not endeavour themselves to returne towards their habitations, &c. And if the said persons so vnlawfully assembled together, or any of them shall fortune to be killed, slaine, mained, or hurt, in or about the suppressing or taking of them: then euery such Iustice, Shirife, Maio, &c. and euery other person hauing authoritie as is aforesaid, and all & singular persons by him or them assembled shall be free, discharged and unpunishable, as well against the Q. as against all & euery other person and persons, of, for, or concerning the killing, maining, and hurting of any person or persons so vnlawfully assembled, that shall be killed, slaine, mained, or hurt, about or by occasion of taking or suppressing of them, &c. 1. M. 12. 1. Cl. 16.

22 All and euery Cophholder, or Customary holder being yeoman, artificer, husbandman, or laborer, & being of the age of xviii. yeeres, or more, & vnder the age of lx. yeeres, not sicke, impotent, lame, mained, ne hauing any other iust or reasonable excuse, or cause to the contrarie, & being required by the Shirife, Iustice, or Iustices of peace, or other hauing authoritie by this Act, or by commission or letters &c. they declaring their said authoritie, or being required by the immediat Lord or Lords, of whom such copy or customary holds then shall be holden, to serue the Queene for any the causes aboue rehearsed, and refuse so to doe, shall (only during the life of such person or persons so refusing) forf. to his or their Lord or Lords of whom such copy or customary holds then shall be immediatly holden, and should be holden during the life of such person or persons so refusing, in case he had not so refused, all their copy & customary holds. And it shall be lawfull to euery such Lord &c. his heires or assignes, of whom such copie or customary holds shall be immediatly holden, & should haue bin holden in case that such person or persons had not so refused, to enter and take into his or their hands or possessions all such copie & customary holdes so holden of them, or any of them immediatly, & to retaine the same during only the life of euery such offendor or offendours, in such maner as he or they should haue had the rents or seruice of such copy or customary hold, in case such person or persons so refusing had not refused, 1. M. 12. 1. Cl. 16.

Cophholder being required refused to serue the Queene.

23 All and euery Farmor being a yeoman, husbandman, artificer, or laborer, and being of the age of xviii. yeeres, or more, and vnder the age of lx. yeeres, not sicke, impotent, lame, mained, ne hauing any other reasonable excuse or cause to the contrarie, and being required by the Shirife, Iustice or Iustices of peace, or other hauing authoritie by this Act, or by commission, or letters, &c. they declaring their said authoritie, or being required by their Landlord or Landlords for the time being to whom

A Farmor required, refused to serue.

the rents of such Farmers shall be then rising, growing, or comming, to serue the Queene for any the causes aboue rehearsed, and refuse so to doe, shall (during onely the life of such Farmor or Farmors so refusing) forfeit & lose to such Landlord and Landlords, as should haue had the rent of such Farmor, during the life and liues of such person and persons so refusing, all their said farmes. And it shall be lawfull to euery such Landlord &c. their heires & assignes, to whom the rents of such farmes should haue bin due, during the life of such person or persons so refusing (in case he or they had not refused) to enter & take into his or their hands or possession, all such farmes, & to retaine the same during only the life of euery such offendor or offendors. But after the death, expiration, or determination of the interest, or terme of yeeres of euery such Cophholder, customary holder, or farmer, as so shall offend & forfeit any of the said cophholders, customarie holdes, or farmes, as is aforesaid, then euery such person as should or ought to haue had the said cophholders, customarie holdes, or farmes, after, or by the death, expiration, or determination of the interest, or terme of yeeres of such cophholder, customary holder, or farmer, in case such cophholder, customarie holder, or farmer had not so offended, ne forfeited, shall and may haue the same cophholders, customary holds, and farmes, by entre, action, adimission, or otherwise, in like maner, forme, and condition, and by such meanes, as they and euery of them should, might, or ought to haue had, if no such forfeiture or offence had bin had, done, or committed. 1. D. 12. 1. El. 16.

Disclosing a
commotion
wherein one
is moued.

24 If any person shall be spoken vnto, moued, or stirred to make any commotion, insurrection, or vnlawfull assembly for any of the intents aboue mencioned, & do not within xiiii. houres next after he shall be spoken vnto, moued, or stirred (vnlesse he haue good, or reasonable cause of excuse) declare the same vnto one Iustice of the peace, or Shirif of the said countie, or to the Maioz, Shirifes, Bailifes, or other head Officers of any citie or town corporat, wher such motion &c. shalbe had, he shal suffer imprisonment by the space of iii. moneths without baile or mainprise, vnles he shal be discharged by three Iust. of p. (whereof one to be of the Quorum) of the same Shire where the offence shalbe committed. 1. D. 12. 1. El. 16.

An able person
required, retu-
rth to serue.

25 If any person being aboue the age of xviii. yeeres, & vnder the age of threescore, being able to serue, & not sick, lame, or impotent, shall be required by any Iustice of peace, or any Shirife of any Countie where any such assembly shal be, or by any Maioz, Bailif, or other head officer of any citie, borough, or towne corporat, or by any other by the commaundement of any such Iustice, Shirife, Maioz, &c. to goe with him or them, to suppress the persons vnlawfully assembled, in maner and forme aforesaid: Then euery person which so being able and required, doth willingly, and obstinately refuse so to doe, shall suffer imprisonment for one yeere without bayle or mainprise. 1. D. 12. 1. El. 16.

26 If the Queene shall by her letters patents make any Lieutenant in any County or counties of this realme, for the suppression of any commotion, rebellion, or unlawfull assembly, then aswell all Justices of peace, and the Sherife and sherifs of the same, as all Maiors, bailifes, and other head officers, and all inhabitants and subiects of any Countie, Citie, Borough, or towne corporat, within enery such countie, shall vpon the declaration of the said letters patents & request made, be bound to giue attendance vpon the same Lieutenant, to suppress any commotion, rebellion, or unlawfull assembly, vnesse he so required, haue any reasonable excuse for his not attendance, vppon paine of imprisonment for one whole yeere. I. D. 12. I. Eliz. 16.

Attendance
vpon a Lieu-
tenant.

27 The order and forme of the Proclamations that shalbe made by the authoritie of this act, shall be as hereafter followeth, or with the like order and words in effect, v3. The Justices or other persons authorized by this act to make the said proclamation, shall make, or cause to be made an Oyes, and after that, shall openly pronounce, or cause to be pronounced these words, or like in effect: The Queene our soueraigne Lady, chargeth and commandeth all persons being assembled immediatly to disperse theselues, and peaceably to depart to their habitations, or to their lawfull businesse, vpon the paine contained in the act lately made against unlawfull & rebellious assemblies, and God saue the Queene. I. D. 12. I. Eliz. 16.

The forme of
the proclama-
tion.

28 If any person or persons do or shall molest, let, hinder, or hurt any person or persons that shall proclaim, or go to proclaim according to the Proclamation and order aforesaid, whereby such proclamation shall not be made, then euery such person so molesting, or hurting, &c. and hauing knowledge of his message, shall incurre such danger, and suffer such paines and forfeitures as the persons assembled, to whom the proclamation should haue bin made, should by this act incurre for not obeying the proclamation (if it had bin made) or for doing after the proclamation of any the things befoze expessed. And also all such persons being assembled to the number aforesaid, to attempt or do any the things aforesaid, to whom proclamation should or ought to haue bin made, if the same had not been let, shall likewise in case they doe after put in vze, and doe anie the things aforesaid, hauing any waies knowledge of the let so made, or by any meanes procuring the same let, incur like danger, and suffer like paines and forfeitures aforesaid, in euery their degrees, as though the Proclamation had bin made, any clause, article, &c. in this act &c. notwithstanding. I. D. 12. I. Eliz. 16.

hindrance of
the Proclama-
tion.

29 All and euery the heire and heirs of all and euery the offender and offenders in any the cases aforesaid, and al and euery person and persons, bodies politique and corporat, their heirs, successors, and executors, and euery of them (oher then such person and persons onely, as shalbe attainted, convicted, or outlawed, of any the aforesaid offences of felony) shall haue,

Other mens
rights saued.

haue, hold, and enioy, all such right, title, entrie, interest, leases, possessions, rents, conditions, profits, and aduantages, as they or any of them shall, or of right ought to haue, in, or to any manors, lands, rents, reuerstions, seruices, or hereditaments whatsoeuer, or in, or to any part thereof, in as large maner to all intents, as if such attainer had neuer been had, any thing in this acte &c. notwithstanding &c. Sauing to euery person and persons, bodie polittike and corporat, and their successors, their liberties and franchises in such maner, as if this act had neuer bin made, 1. M. 12. 1. El. 16.

Procuring others to offend.

30 If any person or persons, do moue, stirre, or procure any person or persons, to commit any of the offences in this act specified, then euery such person and persons, which shall procure, stirre, or moue any person or persons so to offend, shall suffer such punishment by imprisonment without bail or mainprize, as is before expressed in this act against counsaillers of such offenders. 1. M. 12. 1. Eliz. 16.

Unlawfull assembly by xl. or aboue.

31 If any persons to the number of xl. or more, shall assemble together in forcible maner, unlawfully, and of their owne authority, to the intent to execute, doe, or put in vze any of the things aboue specified, or to doe other felonious or rebellious acte, or acts, & so shall continue together by the space of thzee hours, after proclamation shalbe made, at or nigh the place where they shalbe so assembled, or in some market towne thereunto next adioining, and after notice therof to them giuen, then euery person so willingly assembled in forcible maner, and so continuing together by the space of thzee howres after such Proclamation made, and notice thereof giuen, shalbe adiudged a felon. 1. M. 12. 1. Eliz. 17.

Lieutenat shall not appoint a deputie.

32 No Lieutenant that shall be made by authority or colour of this act, or for to execute this act, shal constitute vnder him, or in his place, any deputy, nor shal call, or appoint to appeare before him by the only authority of Lieutenancie, or of commission of Lieutenancie, any person, for anie cause or matter whatsoeuer, saue only for the causes and matters expressed in this act, and for none other. 1. M. 12. 1. Eliz. 16.

Aiding of the offender afore the offence.

33 No person or persons shall be put to any losse, forfeiture, paine, or punishment of life, land, or goods, as accessary to any person or persons that shall commit any of the offences contained in this act, for receiuing, comforting, or aiding of any such offender after such act committed or done. 1. M. 12. 1. Eliz. 16.

The attainer for those offences no corruption of blood.

34 No attainer, or conuiction of any person or persons for any offence or offences herein contained, shalbe any corruption of blood betwixt the offender & any of his ancessors, or such person or persons as should haue bin heir to such offender, if no such attainer or conuictio had bin had. Sauing to euery person & persons, bodie polittike & corporat &c. their liberties & franchises in such maner, as if this act had neuer bin made. 1. M. 1. Parliament. 12. 1. El. 17. to continue during the naturall life of Q. Elizabeth, and to the end of the parliament then next following.

If any person or persons dwelling, inhabitant, or resident within this Realme or anie other the Q. dominions &c. or elsewhere within or vnder her obedience, of what estate, dignitie, condition, preheminence, or degree soeuer he or they be, shall by writing, ciphering, printing, preaching, or teaching, deede or act, aduisedlie and wittinglie, holde, or stand with, to extoll, set forth, maintaine or defend the authoritie, iurisdiction, or power of the Bishop of Rome, or of his See, heretofore claimed, vsed or vsurped within this realme or in anie dominions or countrey being of, within, or vnder the Q. power or obedience, Or by anie speech, open deede, or act, aduisedlie, & wittinglie attribute any such maner of iurisdiction, authoritie, or preheminence to the said See of Rome, or to anie Bishop of the same See for the time being within this realme, or in any the Q. dominions or countries: Then euerie such person or persons, so doing or offending, their abbettozs, procurers, and counsellors, and also their aiders, assistants, and comforters vpon purpose, & to the intent to set forth, further, & extoll the said vsurped power, authoritie, or iurisdiction of anie of the said Bishop or Bishops of Rome, & euery of them, being therof lawfully indicted, or presented, win one yere next after any such offences by him or the committed, and being lawfully convicted or attainted at anie time after, according to the lawes of this realme, for euery such default & offence, shall incurre into the dangers, penalties, paines, & forfeitures, ordained and provided by the stat. of prouision & primumire, made 16. R. 2. And if any such offender after such conviction & attainder as is aforesaid, do esloones commit or do the said offences or anie of the in maner & forme aforesaid, & be thereof duellie convicted and attainted as is aforesaid: Then euerie such offender shal forf. and suffer such paines, forfeitures, iudgement, & execution, as is vsed in cases of high treason. But this acte, or anie attainder to be had by force thereof, shall not extend to make anie corruption of blood, the disheriting of anie heir, forfeiture of dower, nor to the preiudice of the right or title of anie person or persons other then the right or title of the offender or offenders during his, her, or their naturall liues onlie. And it shall and may be lawfull to euery person & persons to whom the right or interest of anie lands, tenements, or hereditaments, after the death of any such offender or offenders, should or might haue appertained, if no such attainder had been, to enter into the same without any ouster le maine to be sued, in such sort as he or they might haue done if this acte had neuer been had ne made. But charitable giuing of reasonable almes to any of the offenders aboute specified without fraud or couin, shall not be taken to be anie such abbetment, procuring, counselling, aiding, assisting, or cōforting, as thereby the giuer of such almes shall incurre anie paine, penaltie, or forfeiture appointed in this act. 5. Eliz. 1. S. Iustices of peace 9.

Waite: ining
the authoritie
of the Bishop
of Rome.

The second
offence.

Relieving the
offenders.

2 If anie person or persons shall vse, or put in vse in any place within this Realme, or in any the Quenes dominions, any Bull, writing, or instrument,

Griuing or ta-
king absolution

by any Bulles
from Rome.

Obtaining of
Bulles from
Rome.

The forfait of
aidors, comforters,
& maintainers,
after the
offences com-
mitted.

Concealing of
absolution or
Bull offered.

Misprision.

instrument, witten or printed of absolution, or reconciliation, obtained from the Bishop of Rome, or any his successors, or from anie other person or persons authorisid, or claiming authoritie, by, or from the said Bishop, his predecessors or successors, or See of Rome: Or if any person or persons shall take vpon him or them, by colour of any such Bull, witing, instrument, or authoritie, to absolue, or reconcile anie person or persons, or to grant, or promise to any person or persons within this realme, or anie other the Queenes dominions, any such Absolution, or reconciliation, by anie speech, preaching, teaching, witing, or anie other open deede: Or if any person or persons within this Realme, or any the Queenes dominions, shall willingly receiue, and take any such absolution, or reconciliation: Or els if anie person or persons haue obtained or gotten since the last day of the Parliament, holden Anno 1. Eliz. or shall obtaine, or gette, from the said Bishop of Rome, or anie his successors, or See of Rome, anie maner of Bull, witing, or instrument witten, or printed, containing any thing, matter, or cause whatsoever, or shall publish, or by anie waies or meanes put in vze anie such Bull, witing, or instrument: Then al & euerie such act and acts, offence & offences, shalbe deemed & adiudged to be high treason, & the offender & offenders therein, their procurers, abettors, & counsellors to the fact, & committing of the said offence or offences, shalbe deemed & adiudged high Traitors to the Queene and the Realme, and being thereof lawfully indicted & attainted according to the course of the lawes of this realme, shall suffer death, and forfait all their lands, hereditaments &c. and cattels, as in cases of high treason by the lawes of this realme ought to be lost and forfeited &c. 13. Eliz. 2.

3 All and euery aiders, comforters, or maintainers of any of the said offender or offenders, after the committing of any of the said acts or offences, to the intent to set forth, uphold, or allow the doing, or execution of the said vsurped power, iurisdiction or authority, concerning the premises or any part thereof, shall incurre the paines and penalties contained in the statute of Premunire, made 16. R. 2. 13. Eliz. 2.

4 If any person or persons to whom any such absolution, reconciliation, Bull, witing, or instrument as is aforesaid shalbe offered, moued, or perswaded to be vsed, put in vze or executed, shal conceale the same offer, motion, or perswasion, and not disclose and signifie the same, by witing or otherwise, within five weekes then next following, to some of the Queenes priuy Counsell, or els to the President, or vicepresident of the Queenes Counsel established in the North, or in the Marches of Wales, for the time being, then the same person or persons so concealing &c. shall incurre the penalty and forfeiture of misprision of high treason. But no person or persons shalbe troubled in or for misprision of treason, for any offence made treason by this act, other then such as by this act befoze are declared to be in case of misprision of high treason. 13. Eliz. 2.

5 If any person or persons shall at any time bring into this realme, or any the dominions of the same, any token or tokens, thing or things, called by y^e name of an Agnus dei, or any crosses, pictures, beads, or suchlike vain & superstitious things from y^e Bishop or See of Rome, or fro any person or persons authorized, or claiming authority by or from the said Bishop or See, to consecrate or hallow the same, If the same person shall deliver, or cause or suffer to be delivered the same, or anie of them, to any subiect of this realme, or of anie the dominions of the same, to be woyn or v^sed in anie wise: Then aswell the same person and persons so doing, as also all and euery other person or persons which shall receiue and take the same to the intent to v^se or weare the same, being thereof lawfully convicted and attainted by the order of the common lawes of this Realme, shall incurre into the dangers, penalties, paines and forfeitures ordained, and provided by the statute of Premunire and Prouision, made 16. R. 2. Saving to all and euery person and persons, and body politike and corporat, their heirs and successors, other then the said offenders, and their heirs, and such person and persons as claime to anie their v^ses, all such rights, titles, interests, possessions, leases, rents, reuerfions, offices, fees, hereditaments, &c. as they or any of them shall haue at the daie of the committing such offence or offences, or any time before, in as large and ample maner as if this acte had neuer been had nor made, anie thing herein &c. notwithstanding. 13. Eliz. 2.

Agnus dei, crosses, pictures.

Other mens rights saved.

6 If any person or persons to whom any such Agnus Dei, or other the things aforesaid shall be tendered and offered to be delivered, shall apprehend the partie so offering the same, and bring him to the next Justice of peace of that Shire where such tender shall be made (if he shall be able so to do) or for lack of such abilitie, shall within three daies next after such offer made, disclose the name and names, and dwelling place or places of resort of the person or persons which shall make such offer, (which he shall endenour himselfe to know by all the meanes he can) to the Ordinarie of that diocesse, or to any Justice of peace of that Shire, where such person or persons to whom such offer shall be made shall be resistant. And also if such person or persons to whom such offer shall be made, shall happen to receiue any such Agnus Dei, or other thing aboue remembred, and shall within the space of one day next after such receipt, deliver the same to any Justice of peace within the same Shire, where the party so receiuing shall be then resistant, or shall happen to be: Then euery such person or persons doing any the acts or things last aboue mentioned, in forme aboue declared, shall not by force of this statute incurre any danger or penaltie appointed in this statute, or any other paine or penaltie. 13. Eliz. 2. And that Justice of peace to whom any such matter shall be declared, shall disclose the same within xiiii. daies after to one of the Queenes priuie Counsell, or else he shall incurre the danger of Premunire, provided

Apprehending the offender, or disclosing his name.

Rome, &c. Sacraments and Service diuine.

uided by the statute made An. 16. R. 2. S. Iustice of peace 103.

**Withdrawing
the subjects
from their obe-
dience to the
Queene.**

7 All persons whatsoever, which haue or shall haue, or shall pretend to haue power, or shall by any wayes or meanes put in practise, to absolute, perswade, or withdraw any of the Queenes Maiesties subiects, or any within any her highnes Dominions, from their naturall obedience to her Maiestie, or to withdraw them for that intent from the Religion now by her highnesse authoritie established within her dominions, to the Romish Religion, or to moue them, or any of them, to promise any obedience to any pretended authoritie of the See of Rome, or of any other Prince, State, or Potentate, to be had or vsed within her dominions, or shall do any ouert act, to that intent or purpose, and euery of them, shall be to all intents adiudged to be Traitors. And being thereof lawfully conuicted, shall haue iudgement, suffer and forfeit, as in case of high Treason. And if any person shall by any meanes be willingly absolved, or withdrawn as aforesaid, or willingly be reconciled, or shall promise any obedience to any such pretended authoritie, prince, state, or potentate, as is aforesaid: Then euery such person, their procuroers and counsaillors thereunto, being thereof lawfully conuicted, shall be taken, tried, and iudged, and shall suffer and forfeit, as in cases of high Treason. 23. Eliz. 1.

**Reconcilling,
or being re-
conciled.**

**Aldors and
maintainers
of the offen-
ders.**

8 All and euery person and persons, that shall wittingly be aldors, or maintainers of such persons so offending, as is aboue expressed, or of any of them knowing the same, or which shall conceale any offence aforesaid, and shall not within twentie dayes at the furthest, after such persons knowledge of such offence, disclose the same to some Iustice of peace, or other higher Officer: shall be taken, tried, and iudged, and shall suffer and forfeit as offenders in misprision of Treason. 23. Eliz. 1. S. Triall 8.

Misprision.

1 The punishment of Iesuites and Priestes ordeined by authoritie deuied from the See of Rome, which come into this Realme, and of those which receiue them. S. Iesuites.

Sacraments and Service diuine.

**Unreuerent
speaking a-
gainst the
Sacrament.**

If any person shal by any contemptuous words, deptraue, despise, or contemne the Sacrament of the body and blood of Christ, or speak against the receiuing thereof, vnder both kinds, or shal aduisedly in any other wise contemne, despise, or reuile the same, he shall suffer imprisonment, and make fine at the Q. pleasure. 1. Ed. 6. 1. 1. Eliz. 1. S. Iustice of peace 8.

**Common pra-
yer, and admini-
stration of
Sacraments.**

2 The Booke of Common prayer and administration of Sacraments, rites and ceremonies, set forth by authoritie of Parliament An. 5. and 6. Ed. 6. (with one alteration or addition of certain lessons to be vsed on euery Sunday in the yeere, and the forme of the Letany altered & corrected, and two sentences onely added in the deliuerie of the Sacrament to the Communicants, and none other or otherwise) shal stand & be in full force and effect. And all and singuler Ministers in any Cathedral or parish Church or other place within this Realme of England, Wales, and the Marches

Archbishops of the same, or other the B. dominions, shall be bound to say and vse the Mattens, Euen-song, celebration of the Lords Supper, and administration of each of the Sacraments, and all their Common & open prayer in such order and forme as is mentioned in the said Booke. And if any manner of Parson, Vicar, or other whatsoever Minister, that ought, or should sing or say Common prayer mentioned in the said Booke, or minister the Sacraments, refuse to vse the said Common prayers, or to minister the Sacraments in such Cathedrall or parish Church, or other places, as he should vse to minister the same, in such order and forme as they be mentioned and set forth in the said Booke, or shall wilfully or obstinately, standing in the same, vse any other rite, ceremonie, order, forme, or manner of celebrating of the Lords Supper, openly or priuely, or Mattens, Euen-song, administration of the Sacraments, or other open prayers then is mentioned and set forth in the said Booke, (Open prayer, is ment that praier which is for other to come vnto, or heare, either in common Churches, or priuate Chappels, or Oratories, commonly called the seruice of the Church,) Or shall preach, declare, or speake any thing in the derogation or deprauiing of the said Booke, or any thing therein contained, or of any part thereof, and shall be thereof lawfully conuicted, according to the lawes of this Realme, by verdict of xii. men, or by his owne confession, or by the notozious euidence of the fact, shall loose & forfeit to the Queenes highnes, her heires and successors, for his first offence, the profit of all his spiritual benefices or promotions, comming or arising in one whole yeere next after this conuiction. And also the person so conuicted, shall for the same offence, suffer imprisonment by the space of vi. monethes, without baile or mainprise. And if any such person once conuict of any offence concerning the premises, shall after his first conuiction estsoones offend, and be thereof in forme aforesaid lawfully conuict: then the same person shall for his second offence suffer imprisonment by the space of one whole yeere, and also shall therefore be depriued, Ipso facto, of all his spirituall promotions. And it shall be lawfull to all patrons or donoꝝ of all and singular the same spirituall promotions, or of any of them, to present or collate to the same, as though the person or persons so offending were dead. And if any such person and persons, after he shall be twice conuicted in forme aforesaid, shall offend against any of the premises the third time, and shall be thereof in forme aforesaid lawfully conuicted: then the person so offending, & conuicted the third time, shall be depriued Ipso facto, of all his spirituall promotions, & also shall suffer imprisonment during his life. 1. El. 2.

3 And if the person that shall offend, & be conuicted in forme aforesaid concerning any of the premises, shall not be beneficed, nor haue any spiritual promotion: then the same person so offending & conuict, shall for the first offence suffer impris. during one whole yeere, next after his said conuiction, without baile or mainprise. And if any such person, not hauing

An offender
hauing no spiri-
tuall living.

any

Sacraments and Seruice diuine.

any spiritual promotion after his first conuiction, shall est soones offend in any thing concerning the premisses, and shall in forme aforesaid be thereof lawfully conuicted: then the same person shall for his second offence suffer imprisonment during his life. 1. Eliz. 2.

Deprauing the
Book of Com-
mon prayer, or
procuring o-
ther.

4 If any person or persons whatsoever, shall in any Enterludes, plaies, songs, rymes, or by other open words, declare or speake any thing in the derogatio, deprauing, or despising of the same booke, or of any thing therein contained, or any part thereof, or shal by open fact, deede, or by open threathnings, compel or cause, or otherwise procure or maintaine any Parson, vicar, or other Minister in any cathedral or parish church, or in chapel, or in any other place, to sing or say any Common or open praier, or to minister any Sacraments, otherwise, or in any other maner & forme then is mentioned in the said book, or by any of the said means shall unlawfully interrupt, or let any parson, vicar, or other minister in any Cathedral or parish church, &c. to sing or say Common & open praier, or to minister the Sacraments, or any of them, in such maner & form as is mentioned in the said Book: then euery such person being thereof lawfully conuicted in form abouesaid, shal forfe. to the Q. her heirs & successors, for the first offence C. marks. And if any person or persons being once conuict of any such offence est soones offend against any of the last recited offences, & shall in forme aforesaid be thereof lawfully conuict: then the same person so offending and conuict, shal for the second offence forfe. to the Q. her heirs, &c. 400. marks. And if any person, after he in forme aforesaid, shal haue bin twice conuict of any offence concerning any of the last recited offences, shall offend the third time, & be thereof in forme abouesaid lawfully conuict: Then euery person so offending & conuict, shall for his third offence, forfeit to the Q. all his goods and cattels, and shall suffer imprisonment during his life. And if any person or persons that for his first offence concerning the premisses shall be conuict in forme aforesaid, do not pay the summe to be paid by vertue of his conuiction, in such maner and forme as the same ought to be paid within vi. weekes next after his conuiction: Then euery person so conuict, and so not paying the same, shall for the same first offence, in stead of the said summe suffer imprisonment by the space of vi. monethes, without bayle or mainprise. And if any person or persons that for his second offence concerning the premisses, shall be conuict in forme aforesaid, do not pay the said summe to be paid by vertue of his conuiction and this estatute, in such maner and forme as the same ought to be paid, within vi. weekes next after his said second conuiction: Then euery person so conuicted, and not so paying the same, shall for the same second offence, in the stead of the said summe, suffer imprisonment during xii. Monethes, without bayle or mainprise. 1. Eliz. 2.

Euery person
shall resort to
the Church.

5 All and euery person and persons inhabiting within this Realme or any other the Queenes dominions, shall diligently and faithfullly, ha-
uing

using no lawfull or reasonable excuse to be absent, endeouour themselves to resort to their Parish Church or Chappell accustomed, or vpon reasonable let thereof, to some vsuall place where Common praier and such seruice of God shall be vsed in such time of let vpon euery Sunday, and other daies ordained and vsed to be kept as holy daies, and then and there to abide orderly and soberly, during the time of the Common praier, preachings, or other seruice of God, there to be vsed and ministred, vpon paine of punishment by the censures of the Church, & also vpon paine that euery person so offending, shall for & for euery such offence xii. d. to be leuied by the Churchwardens of the parish where such offence shalbe done, to the vse of the poore of the same parish, of the goods, lands, and tenements of such offendour, by way of distresse. 1. Eliz. 2.

6 No person or persons shall be at any time hereafter impeached or otherwise molested, of, or for any the offences aboue mencioned, hereafter to be committed or done contrarie to this act, vnlesse he or they so offending be thereof indicted at the next generall Sessions to be holden before the Iustices of Oyer and determiner, or Iustices of Assise, next after any offence committed or done contrary to the tenor of this act. 1. Eliz. 2.

Within what time the offence shalbe indicted.

7 All and euery Iustices of Oyer and determiner, or Iustices of Assise, shall haue full power and authoritie in euery of their open and generall Sessions, to enquire, heare, and determine all and all maner of offences, that shall be committed or done contrary to any article contained in this present Act, within the limits of the commission to them directed, and to make proces for the execution of the same, as they may do against any person being indicted before them of trespass, or lawfully conuicted thereof. And all and euery Archbishop and Bishop, shal or may at all time & times, at his libertie and pleasure, ioyne and associate himselfe by vertue of this act, to the said Iustices of Oyer and determiner, or to the said Iustices of Assise, at euery of the said open and generall Sessions to be holden in any place within his diocesse, for and to the enquirie, hearing, and determining of the offences aforesaid. And the Maior of London, and all other Maiors, Bailifes, and other head Officers, of all & singuler Cities, Borowghs, and Townes corporate, within this Realme, Wales, and the Marches of the same, to the which Iustices of Assise do not commonly repaire, shall haue full power to enquire, heare & determine the offences abouesaid, and euery of them yerely within xv. daies after the feast of Easter, and S. Michaell harchangell, in like maner and forme, as Iustices of Assise and Oyer and determiner may doe. 1. Eliz. 2.

Who may enquire of, and punish the offences.

8 All and singuler Archbishops and Bishops, & euery of their Chauncelors, Commissaries, Archdeacons, & other Ordinaries, hauing any peculiar Ecclesiastical iurisdiction, shal haue full power & authoritie by vertue of this act, aswell to enquire in their Visitation, Sinodes, & elsewhere within their iurisdiction at any other time and place, to take accusations

The Ordinary

and informations of all and euery the things aboue mentioned, done, committed, or perpetrated, within the limits of their iurisdiction & authority, and to punish the same by admonition, excommunication, sequestration, or deprivation, and other censures, & p[ro]ces, in like forme as heretofore hath bin vsed in like cases by the D. ecclesiastical lawes. 1. El. 2.

But onte punished for one offence.

9 Whatsoeuer person offending in the p[re]misses, shall for their offences first receiue punishment of the Ordinarie, hauing a testimonial thereof vnder the said Ordinaries seale, shall not for the same offence eftsoones be conuicted befoze the Iustices. And likewise receiuing for the said first offence punishment by the Iustices, he shall not for the same offence eftsoones receiue punishment of the Ordinarie: any thing &c. notwithstanding. 1. El. 2.

10 Such ornaments of the Church, and of the Ministers thereof, shall be retained and be in vse as was in this Church of England, by authoritie of Parliament in An. 2. Ed. 6. vntil other order shall be therein taken by the authority of the Q. with the aduise of her Commissioners appointed & authorized vnder the great Seale of England for causes Ecclesiastical, or of the Metropolitane of this Realme. And also if there shall happen any contempt or irreuerence to be vsed in the Ceremonies or rites of the Church by the misusing of the orders appointed in this Booke: the Q. may by the like aduise of the said Commissioners or Metropolitane, ordaine and publish such farther Ceremonies or Rites, as may be most for the aduancemēt of Gods glory, the edifying of his Church, & the due reuerence of Christs holy Misteries and Sacraments.

Saying or hearing of Masse.

11 Euery person which shall say or sing Masse, being thereof lawfully conuicted, shall forsaite the summe of CC. Markes, and be committed to prison in the next gaole, there to remaine by the space of one yere, and from thenceforth till he haue paid the said summe of CC. Markes. And euery person which shall willingly heare Masse, shall forsaite the summe of C. Markes, and suffer imprisonment for a yere. 23. El. 1.

1 Arresting a Priest which is doing diuine Service. S. Arrests 1.

2 That there shall be a Bible, and a booke of Common praier in euery parish Church in Wales, in the Welch tongue, and an other in the English tongue. S. Wales 125. 126.

Safecondites.

What things be requisite to make safecondits effectual.

12 euery safecondite to be granted to any person or persons, the names of the owners of the ships, and of the Masters, & the number of the Mariners, with the carriage of the ships shall be exp[re]ssed. 15. H. 6. 3. And if any ships or vessels charged with marchandise, of any Marchants being the Queenes enemies be taken vpon the Sea by any of the Queenes liege people, if the masters, possessors, or Marchants of such ships, &c. haue not within the boord of their ships &c. at the day of the taking of them, the Queenes letters patents of her safecondite, surety, or safegard for such ships &c. and

mar-

Enrolment of
safeconduit.

Taking of
these ships
which have
safeconrit.

Restitution is
one having a
safeconduit
which is ro-
bbed.

Sanctuarie and Abiuration.

Diners sanctuaries taken away.

Sanctuarie and Abiuration.

Cathedral churches, Hospitals, and Churches collegiat, and all Chappels dedicate, vſed as pariſh churches, and the ſanctuaries to euery of them belonging, and except ſuch places & territories, as hereafter be appointed to be places of tuition & priuiledge) ſhalbe utterly extinguiſhed for any ſuch libertie or priuiledge of ſanctuarie to all purpoſes &c. 32. H. 8. 12.

Places of
Sanctuary.

2 Theſe places and territories hereafter expreſſed, viz. Welles in the County of Somerſet, Weſtmiſter, Northampton, Norwich, Worke, Darby, Launceſton, (Weſtcheſter in the County of Cheſter, or ſome other Towne or place, appointed by Proclamation by king H. 8. 33. H. 8. 15.) ſhalbe allowed and taken for places of priuilege & tuition for terme of life, of all and ſingular offenders of whatſoeuer kind euery their offences ſhall be, for the which the paines of death ſhould enſue by the Lawes of this Realme, other then ſuch as hereafter be excepted. But the ſaid priuiledged places ſhalbe allowed onely within the bounds appointed, & returned into the Chancery vnder the ſeales of Commiſſioners, authorized by commiſſions vnder the great Seale of England, to make perambulations, & to appoint how farre and where the bounds of euery of the ſaid priuiledged places ſhall extend, and not elſewhere within the reſidue of the citie or Towne where ſuch limits be appointed. 32. H. 8. 12.

The forme of
Abiuration.

3 If any perſon flee, or reſort to any pariſh Church, Cemitorie, or other like hallowed place, for tuition of his life, by occaſion of any murder, robbery, or any other felony by him committed, & thereupon confeſſe any murder, felony, or other offence beſore the Coroner, wherefore he by the lawes of this realme heretofore vſed ſhould abiure, & paſſe out of the ſame: the ſame perſon thereupon ſhall abiure from all his liberty of this realme, and from his liberall & free habitations, reſorts, & paſſages, to & from the vniuerſal places of this Realme, which appertaine to the liberty of the R. ſubiects vndeſamed, & ſhall forthwith be directed to the Coroner taking & recording ſuch abiuration, to any one ſanctuary being within this realme, which the ſame perſon will chuſe, there to remaine as a ſanctuary perſon abiured during his natural life, and ſhalbe ſworne beſore the Coroner vpon his abiuration ſo to doe 22. H. 8. 14. But there ſhall not be at any one time aboue xx. priuiledged perſons receiued into any one of the ſoreſaid priuiledged places. 32. H. 8. 12. Whether a man may abiure the Realme in other caſes at this day then for felony. Quære. S. Forreſts 1.

xx. perſons in
one place.

Quære.

Abiured per-
ſons ſhall be
marked on the
thumbe,

4 And the Coroner immediatly after his confeſſion, and beſore his abiuration, ſhall cauſe euery ſuch felon or Murderer to be marked with an hoat yron vpon the browne of the thumbe of the right hand, with the ſigne of an A. to the intent he may the better be knowne among the Quenes ſubiects that he was abiured: and then to giue him his abiuration, and to be vſed in all other thinges as hath bin accuſtomed. And all Maiors, Bailifes, and Conſtables ſhall be attendant at the commaundement of the Coroner: for the due execution thereof, as they will anſwere at theſe perils

perils to the Queene for the same. 21. H. 8. 2.

5 If any person do take any refuge or sanctuary in any parish Church or churchyard, cathedral church, hospitall, church collegiat, or other chapel dedicate, commonly used as parish churches, or in the cemitory to any of them belonging, for any offence (other then such as be hereafter excepted) then he shall and may remaine there by the space of xl. daies as hath bin used, using himselfe in all points according to the Lawes & statutes of the Realme, vntil the Coroner in the mean time repaire vnto him for the taking of his Abiuration, in which case vpon repaire of the said Coroner, he shall & may abiure to any of the said priuiledged places before named, not being full of the number to euery of them appointed, there to remaine during his life, using himselfe in such like order in all things as is appointed by the statutes & lawes of this realme, for the good order of sanctuary persons to be obserued within priuiledged sanctuaries. 32. H. 8. 12.

How he shall be used which taketh sanctuary.

6 If any felon, or murderer, that ought to haue any such abiuration, refuse to take his passage out of the said sanctuary at such time as shall be limited vnto him by the said Coroner, then he shall loose the benefit of the same sanctuary, and be taken out of the same, and committed to prison, and further be ordered for his offence after his merits, without any restitution to sanctuarie for the same. 21. H. 8. 2.

A felon refusing to abiure.

7 The Officer or gouernor of euery of the said priuiledged places and territories, shall daily call by himselfe, or his deputie, all and euery of the said priuiledged persons by their names, & if any of them do make default at three seueral daies together, and do not personally appeare at any of the said three daies, hauing no lawfull excuse to the contrarie, then he which maketh default, shall lose the priuilege of all and euery of the said priuiledged places. 32. H. 8. 12.

Parsonall appearance of sanctuary persons, before their gouernor.

8 If any person do abiure to any of the said priuiledged places according to the purview of this act, he shall be used, conducted, & brought from Constable to Constable directly, according to the order of the lawes heretofore used for the conducting of abiured persons to their ports after their abiurations, vntil such time as he be brought to the gouernor of the said priuiledged place whereunto he shall so be abiured, or to his deputy. And if at the bringing of him thither, it shall appeare by the Register there kept of the names of the priuiledged persons then being in the said priuiledged place, that the said priuiledged place is then full of the said number of the said priuiledged persons, being then there lawfully priuiledged: then the gouernor of the said priuiledged place, or his deputy, shall declare vnto the said abiured person, and to the officer that conducteth him, that the said abiured person may not be there receiued, for that the said priuiledged place is then already full of his number, and thereupon shall command the said Officer to conduct and deliuer the said abiured person to the Constable, or other officer of the next Towne adioyning to the said priuiledged place, leading directly

How the abiured person shall be brought to sanctuary.

Sanctuarie and Abiuration.

rectly to the next of the said other priuiledged places: And the same abiured person so to be deliuered from Constable to Constable, officer or officers of euery towship tending toward the same next priuiledged place until he be thither conducted, and there deliuered, to remaine as is aforesaid. And the gouernor of the said priuiledged place, where such refusall was had, or his deputy, shall make an entrie in the said Register of the whole matter, viz. what day and yere the said abiured person was brought thither unto him, & by what officer, & for what cause he did refuse the receiuing of him, & to which of the other said priuiledged places the said abiured person was from thence appointed to be conueyed, and shall befoze the departure of the said abiured person, deliuer to him a true copie of the said entrie, to the intent he may deliuer the same to the gouernor of the said other priuiledged place to the which he shall be conducted, or to his deputie. And the said gouernor of the same priuiledged place, if that same place be not then full of his number, shall receiue the said abiured person, vpon the sight of the said bil, there to remain during his life as a priuiledged person, according to the puruiew of this statute. And like order shall be alwaies obserued for the conducting of all abiured persons from euery of the said priuiledged places being full of their number, at the time of the bringing thither of any such abiured person, to the next other of the said places, untill the said abiured person be receiued into one of the said priuiledged places not hauing his full number, according to the puruiew of this act. And euery gouernor of the said priuiledged places, not doing his duty, according to the puruiew of this act, and euery Constable and other the M. officers refusing to receiue or to conduct such abiured persons, shall for. to the Queene for euery of their defaults in this behalfe xl.s. 32.H.8.12.

Falling of sanctuarie by committing of felony.

9 If any of the said abiured persons, within the time he shall be in any of the said priuiledged places, as a priuiledged man, commit any felony or other offence, for the which the penalty of death should ensue by the Lawes and statutes of this Realme, then he shall for euer lose the priuilege as well of the said place, as of all other sanctuaries before named. 32.H.8.12. And it shall be lawfull to all and singular Iustices of peace, & the high Sherife of the County, or other place where the said sanctuary is, and to all & singular Maiors, Sherifes, and Bailifes of cities & towns corporat where such sanctuary is, and to euery of them, and to the seruants & officers of any or euery of them in their presence, to take out of the same Sanctuary euery such sanctuary person so offending, & being indicted of the same, & to commit him to the Queenes gaole, within the shire or liberty where any such indictment is found against him, safely to be kept til he shall be of the same felony, or of the accessory to any such offences, whereof he shall be indicted, conuicted, attainted, or discharged by the law. 22.H.8.14. 32.H.8.3.

Where one offend may haue sanctuary.

10 But if any person which was at any time a sanctuary person for any felony, obteine the Queenes pardon, and thereby, or otherwise be out of sanc-

sanctuarie.

sanctuary, discharged, or purged of the offence wherefore he tooke sanctuary, & afterward do commit other felony or manslaughter by chance medly, and not murder of malice prepenced, and thereupon againe take sanctuary, the same person shall haue and enioy the priuilege of sanctuary for that his other offence of felony or manslaughter by chance medley, as he might haue had before the making of this act. 22. H. 8. 14. 32. H. 8. 3.

11 If any person being in any sanctuary as a sanctuary person shall be indicted for any felony supposed to be committed by him going out of the same, or any other sanctuary, and committing the same felonie whiles he was so a sanctuary person, he shall not be taken out of the same sanctuary, before that he be examined thereof by two of the Queenes Counsell, or by 4. Iustices of peace of the hire where the sanctuary is, wherein the person so indicted is resident, and if within 4. daies after the first examination, he do make such ppoofe as the said examiners shall thinke sufficient, that he was in the sanctuary at the time of the said felony committed, then he shall be suffered to remaine in the same sanctuary, without any extraction: the said indictment or any thing in this act &c. notwithstanding. 22. H. 8. 14. 32. H. 8. 3.

None shall be taken out of sanctuary before he be examined.

12 All and singuler person and persons which shall be priuiledged in any sanctuary, for Murder or felony, shall daily whensoever he or they be without the house or mansion wherein they haue their lodging, weare a badge, or cognisance, by the gouernoz of euery Sanctuary to be assigned, openly vpon their vpper garment, of the compasse in length & bredth of x. yuches, vpon pain that whensoever any of them being out of the said house or mansion wherein he hath his lodging, shall be taken without the same badge, clerely to lose his priuilege of sanctuary. And it shall be lawfull to all & singuler the Queenes subiects, to apprehend euery such offender being without his badge, and him to bring out of the sanctuary into the next gaole, there to remaine vnto the next gaole deliuerie, and then to be tried according to the order of the law, as though he had neuer bin priuiledged in any such sanctuary. 27. H. 8. 19.

Sanctuary persons shall weare badges.

13 No priuiledged persons at any time shall beare, occupie, or weare vpon them any maner of sword, knife, or other weapon, other then their meat kniues, and the same meat kniues but at their meales onely, vpon paine as is before rehearsed. 27. H. 8. 19.

Sanctuary persons shall weare no weapons.

14 If any of the said priuiledged persons shall at any time be found or taken out of his lodging before the sun rising in the morning, or after the Sun going downe in the euening, he shall at the first time suffer imprisonment within the same sanctuary by the space of two daies, & at the seconde time haue imprisonment by the space of vi. daies, & at the third time (& the same being substantially proued by indifferent ppoofes thereof to be made before the L. Chancelor) shall lose his priuilege of sanctuary. 27. H. 8. 19.

Abroad before or after Sun.

15 If any sanctuary perso of prepenced malice, at any time do rescue or resist

Resisting thele gouernors.

Sanctuarie and Abiuration.

resist any of the gouernors aforesaid, or their deputies, in executing of their office, in taking and imprisoning of any of the persons privileged offending contrary to the tenor of this Act, then he that shall fortune to make rescous, shall be taken out of sanctuary, and shall suffer and be tried as a felon in euery thing. 27. H. 8. 19.

The gouernors
of sanctuaries
may determine
contracts.

16 The gouernors or their deputie, of any of the same Sanctuaries, where any contract of debt vnder p. l. s. trespass, or couenant shall be made, grow, or be, within any of the said Sanctuaries betweene any of the said privileged persons, and other inhabitants within any such Sanctuarie, haue authority to order, iudge, & determine the same, according as it shall be duely there proued before the said gouernor or gouernors. 27. H. 8. 19.

These shall not
haue the priui-
lege of sanctu-
arie.
Treason.

17 No person shall haue the priuilege of sanctuary which is an offender in any kindes of high Treason, whatsoeuer they be: Nor any of his aiders, consenters, counsellors, nor abbetters. 26. H. 8. 13. Nor any person or persons offending in any Treasons. 28. H. 8. 7.

Taking the
D. castles.

18 Nor which conspireth to take, or keepe from the Queene, any of her castles, or to destroy any of the, hauing munition, or garded with souldiers for the defence of this Realme, and the same by manifest act doth declare. Nor which is an aider, counsellor, comforter, consentor, or abbetter to any such offender, knowing thereof. 14. El. 1. S. Castles 1.

Murder.

Burglary.

19 Nor which is attainted, or conuicted of murder of malice prepensed, or of poisoning of malice prepensed, or of breaking any house by day or by night, any person being in the same house, & thereby put in feare, or of robbing any person, in, or neere vnto the high way, or of felonious stealing of any horses, geldings, or mares, or of felonious taking of any goods out of any Church or chappel, or being indicted or appealed of any of the said offences, & thereupon found guilty by verdict of xii. men, or shall confesse the same vpon his arraignment, or will not answer directly according to the lawes, or shall stand wilfully or of malice mute. 1. E. 6. 12. S. Clergy 13.

Coniuration,
Witchcraft.

20 Nor which doth practise Inuocation, or Coniuration of wicked spirits, or Inchantment, witchcraft, charme, or sorcerie, whereby any person shall be killed, or whereby any person shall be consumed, or lamed in his bodie, or his goods wasted, being once conuicted of the said second offence before. 5. El. 16. S. Coniuration 1.

Forging of
Euidences.

21 Nor which is conuicted or condemned of any the offences prohibited by the statute pouided against the forging of Euidences and writings by any of the waies or meanes limited in the said statute, & doth eftsoones commit any of the said offences. 5. El. 14. S. Forger 4.

Souldiers.

22 Nor any Souldier seruing the Queene in her warres, in any of her dominions, or on the Sea, or beyond the Sea, or in Scotland, which departeth without licence of the Lieutenant, high Admirall, vice Admirall, Warden, or Capteine, and in their absence of their Lieutenants. 2. Ed. 6. 2. S. Capitaines 3.

23 Noꝝ any person which is attainted of any of the offences made felony by the statute pꝛouided 23. El. against seditious words & rumors uttered against the Queenes Maiestie. 23. El. 2. S. Newes 5. 6. 7.

In what cases Recusants which come not to the Church shal abiure, and in what not. S. Recusants 19. 26. 33. 39.

Second deliuerance.

As soone as retorne of the cattel is awarded to him which did distrain the same, the Sherife shalbe commanded by a Iudicial writ to make retorne of the cattel to the party which tooke the distress, in which writ it shalbe expressed, that the sherif shal not deliuer them without a writ, making mention of the Iudgement giuen by the Iustices, which cannot be without a writ issuing out of the rols of the same Iustices befoze whom the matter was in suit. And if he which is distrained do go vnto the Iustices, and do desire to haue the same cattel repleuied vnto him again, he shal haue a iudiciall writ, that the sherife (taking suerty to prosecute the suit, and to retorne the cattel oꝝ their pꝛice, if retorne be awarded) shal deliuer vnto him his beasts oꝝ cattel befoze returned, and he which distrained, shal be attached to appeare at a certaine day befoze the Iustices, befoze whom the suit shalbe determined in the pꝛesence of the parties. And if he which repleuied the cattel do make default againe, oꝝ foꝝ any other cause, retorne of the distresse shalbe awarded now twice repleuied, the distress shal foꝝ euer remaine irrepleuifable. But if a distress be taken of new, and foꝝ a new cause, the pꝛoces vsed in the repleuin shalbe awarded. *III. 2. 13. Eliz. 1. 2. S. Repleuin 2. 3.*

1 Where the auowant in Second deliuerance, shal recover damages and costes, S. Damages 8.

2 That auowry, iustification, or cognisance may be made vpon the lād, in second deliuerance, without naming any person certain. S. Auowry 1.

Sewers.

Commissions of Sewers &c. shal be directed in all parts within this Realme from time to time (foꝝ euer 3. Ed. 6. 9.) where & when neede shal require, according to the forme & effect hereafter ensuing, to such substantiall and indifferent persons as shalbe named by the Lord Chanceloꝝ, and Lord Treasoꝝer of England, and the two chiefe Iustices foꝝ the time being, oꝝ by thꝛee of them, whereof the Lord Chanceloꝝ to be one.

2 Elizab. &c. Know ye, that foꝝ as much as the walles, ditches, bankes, gutters, sewers, gotes, callies, bꝛidges, streames, and other defences by the coastes of the Seas and March ground, being and lꝛying within the limits of A. B. oꝝ C. in the countie oꝝ counties of L. M. oꝝ in the borders oꝝ confines of the same, by rage of the Sea, flowing, and reflowing, and by meane of the trenches of fresh waters descending and hauing course by diuers wales to the Sea, be so dirupt, lacerate and broken, And also the common passages of ships, balengers and boats, in the riuers, streames, and

The fourme of
the commission
of Sewers.

Reforming of
annoyances.

Inquire by
whose default
the damages
shance.

Assessing of the
inhabitants.

and other floods within the limits of A. B. or C. in the countie or counties of L. M. or in the borders or confines of the same, by meane of setting vp, erecting, and making of streames, milnes, bridges, poudes, fishgarthes, mildams, locks, hebbing weares, hecks, and fludgates, or other like lets, impediments, or annoyances be lettred and interrupted, so that great and inestimable dammage for default of reparation of the said wals, ditches, trenches, sewers, gotes, gutters, callies, bridges, and streames, and also by meane of setting vp, erecting, making, and enlarging of the said fishgarthes, mildams, locks, hebbing weares, hecks, fludgates, and other like annoyances in times past hath hapned, and yet is to be feared that farre greater hurt, losse, and dammage is like to ensue, vnlesse that speedie remedy be prouided in that behalfe: We therefore, for that by reason of our dignitie and prerogatiue royal, we be bound to prouide for the safetie and preservation of our Realme of England, willing that speedie remedy be had in the premisses, haue assigned you, and sixe of you, of the which we will that A. B. and C. shall be thre, to be our Iustices, to suruey the said wals, streames, ditches, bankes, gutters, sewers, gotes, callies, bridges, trenches, milnes, mildams, fludgates, poudes, locks, hebbing weares, and other impediments, lets and annoyances aforesaid, and the same cause to be made, corrected, repaired, amended, put downe, or reformed, as cause shall require, after your wisdomes and discretions, and therein aswell to ordeine and do after the forme, tenor, and effect of all and singular the statutes and ordinances made touching the premisses, or any of them, as also to enquire by the othes of the honest and lawfull men of the said shire or shires, place or places, where such defaultes or annoyances be, as well within the liberties as without, (by whom the trueth may the rather be knowen,) throught whose defaults the said hurts and damages hath hapned, and who hath, or holdeth any lands or tenements, or common of pasture, or profit of fishing, or hath, or may haue any hurt, losse, or disadvantage by any maner of meanes in the said places, aswell neere to the said daungers, lets and impediments, as inhabiting or dwelling thereabout, by the said wals, ditches, bankes, gutters, gotes, sewers, trenches, & other the said impediments and annoyances. And all those persons and euerie of them, to taske, asseste, charge, distraine, and punish aswell within the meets, limits, and bounds of old time accustommed, or otherwise, as elsewhere within our Realme of England, after the quantity of their landes, tenements, and rents, by the number of acres and perches, after the rate of euery persons portion, tenure or profit, or after the quantitie of their common of pasture, or profit of fishing, or other commodities there, by such waies and means, and in such maner and forme, as to you, or sixe of you, whereof the said A. B. and C. to be thre, shall seeme most conuenient to be ordeined and done, for redress and reformation to be had in the premisses. And also to reforme, repaire, and amend the said wals, ditches, banks,

banks, gutters, sewers, gotes, callies, bridges, streames, and other the premises in all places needful, and the same as often, and where need shall be, to make new. And to cleanse and purge the trenches, sewers, and ditches in all places necessarie. And further, to reforme, amende, prostrate, and ouerthrowe all such mills, streames, poudes, lockes, fishgarthes, hebbing weares, and other impediments and annoyances aforesaid, as shall be found by inquisition, or by your surueying and discretions to be excessive or hurtfull. And also to depute and assigne diligent, faithfull, and true keepers, bailifes, surueyors, collectors, expeditors, and other ministers and Officers, for the safetie, conseruation, reparation, and making of the premises, and euery of them, & to heare the accompt of the collectors and other ministers, of, and for the receit and laying out of money, that shall be leuied and paid, in and about the making, repairing, reforming and amending of the said wals, ditches, bankes, gutters, gotes, sewers, callies, bridges, streames, trenches, mills, ponds, locks, fishgarthes, fludgates, and other impediments and annoyances aforesaid. And to distraine for the arrerages of euery such collection, tare, or assesse, as often as shall be expedient, or otherwise to punish the debtors and detainers of the same, by fines, amerciaments, paines, or other like means, after your good discretions, and also to arrest, and take as many cartes, hoxles, oxen, beastes, and other instruments necessary, and as many workmen & laborers, as for the said workes and reparation shall suffice, paying for the same competent wages, salary & stipend in that behalfe. And also to take such, and as many trees, woods, vnderwoods, & timber, and other necessities, as for the same workes and reparations shall be sufficient at a reasonable price, by you, or sixe of you, (as which we will that A. B. and C. shall be thre) to be assessed or limited, as well within the limits & bounds aforesaid, as in any other place within the said countie or counties, neere vnto the said places. And to make and ordaine statutes, ordinances, and provisions from time to time, as the case shall require, for the sauegard, conseruation, redresse, correction, and reformation of the premises, and of euery of them, and the parties lying to the same necessary and behoouefull, after the lawes and customes of Romney Marsh in the County of Kent, or otherwise by any waies or meanes after your owne wisdomes & discretions. And to heare & determine all and singular the premises, as well at our suit, as at the suit of any other whatsoever complayning before you, or vi. of you, whercof A. B. and C. shall be thre, after the Lawes and customes aforesaid, or otherwise by any other waies and meanes after your discretions. And also to make and direct all writs, precepts, warrants, or other commaundements by vertue of these presents, to all Sherifes, bailifs, & all other ministers, officers, & other persons, as well within liberttes as without, before you, or vi. of you, whercof the said A. B. and C. to be thre, at cer aine daies, termes, and places to be prefixed, to be returned & recused, and further to continue the proces of the

Taking away
the unprofit-
ments.

Officers for the
repaire of an-
noyances.

Taking of
workemen and
things neces-
sary.

Ordinances
constituted.

Heare and de-
termine offices

Directing of
writs and pre-
cepts.

the same. And finally to do all & euery thing & things as shall be requisite for the due execution of the premisses, by all waies and meanes after your discretions. And therefore we command you, that at certain daies & places when and where you, or sire of you, (whereof the said A. B. and C. to be thre) shall thinke expedient, you do suruey the said wals, fences, ditches, bankes, gutters, gotes, sewers, calties, ponds, brydges, riuers, streames, watercourses, mils, lockes, trenches, fishgarths, fludgates, and other the lets, impediments, & annoyances aforesaid, and accomplish, fulfill, heare, and determine all and singuler the premisses in due forme, and to the effect aforesaid, after your good discretions. And all such as ye shall find negligent, gain-saying, or rebelling in the said woꝝkes, reparations, or refoꝝmation of the premisses, or negligent in the due execution of this our commission, that ye do compell them by distresse, fines, & amerciaments, or by other punishments, waies or meanes, which to you, or sire of you (whereof the said A. B. and C. shall be thre) shall seeme most expedient, for the speedy remedy, redꝛesse, and refoꝝmation of the premisses, and due execution of the same. And all such things as by you shall be made and ordeined in this behalfe, aswel within liberties as without, that you do cause the same firmly to be obserued, doing therein, as to our Iustices appertaiueth, after the lawes and Statutes of this our Realme, & according to your wisdomes and discretions: Saued alwaies to vs such fines & amerciaments as to vs thereof shall belong. And we also commaund our Sherife or Sherifes of our said Countie or Counties of L. M. that they shall cause to come before you, or sire of you, (of the which A. B. and C. shall be thre) at such daies and places, as ye shall appoint them, such and as many honest men, of his or their Bailiwiki, aswell within the liberties as without, by whom the troth may best be knownen, to enquire of the premisses, commanding also all other ministers and officers, aswell within liberties as without, that they and euery of them shall be attendant to you, in and about the due execution of this our Commission. In witnes &c.

All officers shal
be attendant to
the Commissi-
oners of Sew-
ers.

The Commis-
sioners duetie.

3 Euery such person as shall be named Commissioner in the said Commission, after he hath knowledge thereof, shall effectually put his attendance about the execution of the said Commission, and before he shall take vpon him the execution thereof, he shall take a corporal oth before the L. Chancelor, or before such to whom the Lord Chancelor shal direct the W. writ of Dedimus potestatem to take the same, or before the Just. of peace in the quarter Sessions, holden in the shire where such commission shalbe directed. The tenor of which oth hereafter ensueth. 23. H. 8. 5.

The Commis-
sioners Oth.

4 We shall sweare, that you to your cunning, wit, and power, shall truly and indifferently execute the authoritie to you giuen by this Commission of Sewers, without any fauour, affection, cozruption, dread, or malice, to be bozne to any maner person or persons. And as the case shall require, ye shall consent and endeouour your selfe for your part to the best
of

of your knowledge and power, to the making of such wholesome, iust, equal and indifferent lawes and ordinances, as shall be made and deuised by the most discreete and indifferent number of your fellowes being in Commission with you, for the due redresse, reformation, and amendenient of al and euery such thinges as are contained and specified in the said Commission. And the same lawes and ordinances to your cunning, wit, and power, cause to be put in due execution, without fauor, meed, dread, malice or affection, as God you helpe &c. 23. H. 8. 5.

5 The Commissioners named in any of the said Commissions according to the purport and effect of the same Commissions, haue authorizty to make and ordeine lawes, ordinances, and decrees, and further to do all and euery thing mentioned in the said Commission, according to the purport, effect, words, and true meaning of the same. And the same lawes and ordinances so made, to reforme, repeale, and amende, and make new, from time to time, as the cases necessarie shal require in that behalfe. 23. H. 8. 5. And all such lawes, ordinances, & constitutions, as be or shalbe duely made by force of any such Commission, according to the tenor and effect limited in any statute made (befoze 2. Ap. An. Do. 1571.) touching Commissiō of Sewers, & being witten in parchment indented, & vnder the seales of the said Commissioners or vi. of them, (whereof the one part shall remaine with the Clarke appointed for the Commission of Sewers for the time being, & the other in such place as the same Commissioners or vi. of them shal appoint) shal without any certificat thereof to be made into the Chancery, & without the royal assent to the same had, continue in ful force & effect, notwithstanding any determination of any such Commission by Superseedeas, vntil such time as the same lawes &c. shalbe altered or repealed by the Commissioners after to be assigned for Sewers in those parts where the same lawes &c. were made, or by vi. of them. 13. El. 9.

The Commis-
sioners autho-
ritie.

How long the
Commis-
sioners decrees
shall continue.

6 The foresaid act, and all Commissions of Sewers to be directed according to the tenor of the same, shal extend & giue authoritie that the Commissioners therein named for the Countie of Glamorgan or sixe of them, (whereof thzee to be of the Quorum) shall haue full authorizty from time to time to make such lawes, prouisions and decrees within the said Countie of Glamorgan, for the redresse and sauing the grounds there from hurt or destruction, by reason of land rising out of the Sea, and giuen to land by stormes and windes, as they may doe by the said former act and Commission, for the auoiding of the outrageous course of the Sea, and other waters. 1. H. Parl. 2. 11.

Commissioners
for the countie
of Glamorgan.

7 If any person being tared to any lot or charge, for any landes, tenements or hereditaments, within the limits of any Commission, do not pay the same, according to the ordinance of the Commissioners, hauing power of the execution of the said commission, by reason whereof it shall happen the said commissioners for lacke of payment of such lot and charge, to de-

The Commis-
sioners decree
shall bind other
mens land.

crec,

tree, & ordaine the same lands &c. from the owner thereof and his heires, to any person or persons for terme of yeres, terme of life, in fee simple, or in taile, for painment of the same lot and charge: Then euery such decree and ordinance so by them made, ingrossed in parchment and sealed, shall bind euery person, that at the making of the same decree, had any interest, in such lands &c. in vse, possession, reuerlion, or remainder their heires and fessees, and euery of them. 23. H. 8. 5.

The Commis-
sioners decree
shall bind the
D. & all other
persons lands.

8 The same lawes, ordinances, and decrees made by the said Commis-
sioners or sixe of them by authoritie of the said Commission shall bind as
well the lands, tenements, & hereditaments of the D. as all other persons
and their heires, and such their interest as they shall or may haue in any
lands &c. or other casual comodities whatsoever, wherunto the said lawes
&c. shal in any wise extend, according to the true intent of the same lawes.
23. H. 8. 5. And all scots & lots, summes of money to be rated and taxed by
vertue of such commission of Sewers, vpon any of the D. lands &c. for any
thing concerning the articles of the said Commission, shalbe gathered and
leued by distresse or otherwise, in like maner as shal or may be done in the
lands of any other person. And all bills of acquitance signed with the hand
of such collector or receiuer, as shall haue the collection thereof, by the ap-
pointment of the said Commissioners or sixe of them, shall be as well a suf-
ficient discharge to the tenants, farmers, & occupiers of the same grounds,
so to be charged for the said summe wherewith their ground shall be so
charged, as also a sufficient warrant to euery receiuer, auditor, and other
whatsoever officer of the D. &c. for the allowance to such tenant, &c. for the
same. 3. Ed. 6. 8.

Commissioners
shall be dwel-
ling within the
same countie.

9 No person shall be compelled to be sworn or otherwise bound to sit
or trauell in the execution of any Commission of Sewers, vntesse he bee
dwelling within the Countie, whereof he shalbe assigned to be Commis-
sioner. 25. H. 8. 10.

Refusal to take
the oth.

10 If any person assigned to be such Commissioner of Sewers being
required by such as shall haue authority by the D. writ or otherwise, to re-
ceiue the othe aforesaid, doth refuse to take the same othe, or vpon that re-
quest made, doth not receiue the same, and that refusal or contempt be done
in the Chancery, or returned into the Chancery with the said writ, he shall
forf. for the same contempt to the D. v. markes. And so to lose from time to
time v. markes for euery such contempt, as shall be done or returned into
the said Chauncery against any such person, vntesse that he in the same
Chauncery doe shew in the said terme wherein such returne shall be made,
sufficient cause to be allowed by the Lord Chancelor for his excuse in that
behalf. 25. H. 8. 10.

None shall be,
except he be
sworne,

11 If any person do take vpon him to sit by vertue of any of the said
Commissions, not being before sworn, in forme as is aforesaid, and ac-
cording to the tenor of the oth before specified: Or if any person so named
and

and swozne do sit, not hauing lands and tenements oz other hereditaments in fee simple, fee taile, oz for terme of life, to the clere yerely value of 40. markes, aboue all charges, to his owne vse, (except he be resiant and free of any Citie, Bozough oz towne corporate, and haue moueable substance of the clere value of one C.li. oz else be learned in the laws of this Realme, and admitted in one of the foure principall Innes of Court for an better barrestier) he shall forf. xl. li. for euery time that he shall attempt so to doe, to the Queene and A. to be recovered by A. J. &c. wherein no C. &c. C. oz W. 23. H. 8. 5.

Of what it-
uing oz degree
euery Commis-
sioner ought to
be.

12 No ffarmour for terme of yeres, of any lands, oz tenements, lying within the precincts of any such commission of Sewers, which be oz here- after may be ordered and chargeable by any ordinances oz constitutions made oz to be made, by vertue of any such Commission, wherein he shal be appointed Commissioner (not hauing estate of freehold within the realme of England, in lands oz tenements of the yerely value of xl. li.) shall haue power to sit, oz in any wise intermedle with the execution of such Com- mission during the time he shal continue ffarmour of any such lands, & shal not haue estate of ffreehold, as is aforesaid: But euery such Commission as hauing respect onely to euery such person for such, and so long time as he shal so continue ffarmour of any such landes, shall be adiudged in law to be void, any thing in the said Commission, oz any statute &c. notwithstanding. But it shalbe lawfull for any Commissioner being also a ffarmour, & not ha- uing lands, &c. to the clere yerely value of xl. li. of freehold, to sit by vertue of the said Commission, and haue his voice and full authority with others to make and establishe ordinances for Sewers according to the Tenor of the Commission, concerning all lands & tenements within the precinct of euery such Commission, other then such lands &c. as he for the time being shall hold and enioy as ffarmour, as he might haue done befoze the making of this Statute. 13. El. 9.

A ffarmour of
lands chargea-
ble, shal not be
Commissioner
within the
same precinct.

13 If any action of trespass, oz other suit shalbe attempted against any person for taking of any distresse, oz any other act doing, by authority of the said Commission, oz by authoritie of any Lawes oz Ordinances made by vertue of the same, the defendand therein shal, and may make auowry, cog- nissance, oz iustification for the taking of the same distresse, oz other act do- ing, touching any of the premisses, alleaging therein that the said distresse, trespass, oz other act, whereof the plaiutife complaineth, was done by au- thority of the Commission of Sewers, for lot oz tare assessed by the sayd Commission, oz for such other act oz cause, as the said defendand did by au- thority of the said Commission, and according to the tenor, purpozt, and ef- fect of the act made 23. H. 8. without any reherfall of any other matter contained in the said act, oz any Commission, Statutes oz ordinances there- upon made, whereupon the plaiutife shalbe admitted to replie, that the de- fendand did take the said distresse, oz did any other act, oz trespassse supposed in

Auowry oz iu-
stification for a
distresse taken
by reason of the
Commission of
Sewers.

in his declaration of his owne wrong, without any such cause alleaged by the said defendant, whereupon the issue in euery such action shal be ioyned, to be tried by verdict of xii. men, & not otherwise, as is accustomed in other personal actions. And vpon the triall of the issue, the whole matter shal be giuen on both parties in euidence, according to the trueth of the same. And after such issue tried for the defendant, or non suit of the plaintife after appearance, the same defendant shal recouer treble damages by reason of his wrongfull veration in that behalfe, with his costs also in that part sustained, & that to be assessed by the same Jury, or writ to enquire of damages, as the case shall require. 23. H. 8. 5.

Damages for
the defendant.

The Commis-
sioners and
Clerks wages.

14 Euery of the said Commissioners, shall haue iiii. s. for euery day that they shal take paine in the execution of this Commission of Sewers. And one Clerke by them assigned ii. s. for euery day, of the rates, taxes, lots, and waiues that shalbe assessed or lost, by authority of the said Commission, & to be leuied & paid by their discretions. And the said Commissioners or sixe of them, shall haue authority to assigne of the same rates &c. such reasonable summes of money to the said Clerke for writing of bookes, and proces concerning the premisses, and to the Collectors, Expenditors, & such other as shall take paine in the due execution of the said Commission, as by the said Commissioners or vi. of them shalbe thought reasonable. 23. H. 8. 5.

No certificat
of the Commis-
sion of Sewers

15 The said commissioners shall not be compelled to make any certificat or returne of any of the said Commissions, or of any their ordinances, lawes, or doings, by the authoritie of any the said Commissions. Nor shall haue any fine, paine, or amerciament, set vpon any of them, or any waies be molested for that cause. But the Clerk appointed for any such Commission shal perely, truly extreat al the issues, fines, penalties, forfaitures and amerciaments, that shalbe answerable to the Q. &c. And the same extreats shall perely deliuer into the Eschequer, at such time, and in such maner, as Iustices of the peace ought to doe, by vertue of their Commission, vpon paine to forfe. to the Queene &c. for euery default v. li. 13. El. 9.

How long the
Commission
shall continue.

16 Euery Commission of Sewers shall continue in force x. yerres, next ensuing the date thereof, vntill the same shall be repealed or determined by reason of any new commission in that behalfe made, or by Superseas, (for the Q. shal at her pleasure by her writ of Superseas out of her Chancery at any time discharge as well euery such Commission, as euery Commissioner &c. 23. H. 8. 5.) And at all times after the end of x. yerres next ensuing the date of Tesse of any Commission of Sewers, all such lawes, ordinances & constitutions, as were made by vertue of any such commission, & written in parchment, indented and sealed (without certificat thereof, or the assent Royall to the same had, as is aforelaid) shal notwithstanding the determination of any such commission, by the expiration of the terme of ten yerres, likewise continue in force by the space of one whole yere then next ensuing.

ensuing. And the Iustices of peace of the Shire and Shires where the same lawes, ordinaunces, and constitutions, are to be executed within their seuerall commissions and limits, or vi. of them (whereof two to be of the Quorum) shall haue authoritie by the space of one whole yeere next after the expiration of euery such Commission to execute the same lawes, ordinaunces, and constitutions, and euery of them, in as ample maner as the Commissioners appointed in any commission so expired, might, or should haue done, to all intents, as if the said commission had continued in force. But if any new Commission of Sewers shall be made within the said yeere, then immediatly from and after such commission newly made and published, the power of the said Iustices of the peace, and euery of, them in any wise concerning the execution of any such lawes, ordinaunces, and constitutions of Sewers shall utterly cease. 13. Cl. 9.

Iustices of peace in some case shall execute the Commission of Sewers.

17 As often as such Commission shall be directed to any persons for the reformation, of, or in, any of the premisses specified in the said commission, within the fees, liberties, or possession of the Duchy of Lancaster: Then such Commissioners as shall execute the same, shall be appointed by the Lord Chaunceloz, & Lord Treasorzer of England, and the said ii. chiefe Iustices of either Bench, and the Chaunceloz of the said Duchy for the time being, or thre of them, whereof the said Lord Chaunceloz, and the Chaunceloz of the said Duchy to be two. And in euery such case two commissions shal be awarded, according to the tenour of the commission aboue expressed, one thereof vnder the great Seale of England, and the other vnder the Seale of the same Duchy. And as often as such commission shall be directed to any persons for the amendement of, or in any of the premisses specified in the said commission, within the fees, liberties, & possessions of the principallitie of Wales, the countie Palantine of Chester, or within the fees, liberties, & possessions of any other place, where there is libertie and iurisdiction of countie Palantine: In euery such case two Commissions shall be awarded, according to the tenour of the commission aboue expressed, one thereof vnder the great Seale of England, and the other vnder the vsuall Seale of the countie Palantine, in maner & forme, as is aboue prouided for the Duchie of Lancaster. 23. H. 8. 5.

Commission within the Duchie of Lancaster.

18 The Chaunceloz, and such other as shall haue the custodie of the Seales of the said principallitie of Wales, or the countie Palantine of Chester, or within the fees, liberties, & possessions of any other place, where there is libertie & iurisdiction of countie Palantine, vpon reasonable request, and vpon the sight of the commission vnder the great Seale, shall without delay make out an other commission vnder the seale of the said countie Palantine, according to the tenour of the Queenes commission to them shewed vnder her great Seale, & to those Commissioners as shall be named by the Lord Chaunceloz, L. Treasorzer, & the ii. chiefe Iustices, or by iii. of them, whereof &c. (except it be within the fees & liberties of the

Commissions in Wales and counties Palantine.

The fees for
Commissions.

Duchy of Lancaster) within which fees and liberties the Commissioners shall be named, & commissions made, as is befoze ordeined. 23. H. 8. 5.

19 The said Commission from time to time, as the case shall require, shall be obtained without any money, or other charge to be paid for the seales or wryting of the same, vnlesse it be to the Queene ii. s. vi. d. for the seale of euery commission, and for the wryting and inrolling of any one commission v. s. and not aboue, 23. H. 8. 5. And such and like fees, & none other, nor moze shall be at any time paid or demaunded for any Commissions, and wryts of Dedimus potestatem, to be sued out vnder the seale of the Duchie, as be mencioned in the said former Act, to be paid in the Chaucery for Commissions and wryts of Dedimus potestatem, to be obtained from thence, &c. 3. E. 6. 8. S. Weares.

Sheepe.

Transporting
of Sheepe.

N O person shall bring, deliuer, send, receiue, or take, or procure to be brought, deliuered, sent, or receiued into any ship, or bosome, any Rams, Sheepe, or Lambes, or any other kind of Sheepe being alive, to be conueyed out of any the Queenes dominions, vpon paine that euery such person, his aidors, abettors, procurers, and comforters, shall for his first offence forfeit to the D. and J. all his goods for euer, to be recovered &c. wherein no W. &c. E. 6. &c. And further euery such offender shall suffer imprisonment one whole yeere without bayle or mainprise, and at the yeeres end, shal in some open market Town, in the fulnesse of the market, on the market day haue his left hand cut off, & that to be nayed up in the openest place of such market. 8. El. 3.

The second
offence felony.

2 And euery person escones offending against this statute, shall be adiudged a felon, and shall suffer death, as in cases of felonie. But this Act shall not extend to any corruption of blood, or be prejudiciall to any woman claiming dower, by or from any such offender. 8. El. 3.

No person shall
keepe aboue
2000. Sheepe.

3 No person shall keepe, occupie, or haue in his possession, in his owne proper landes, nor in the grounds of any other, which he shall haue or occupie in farme, nor otherwise haue of his owne proper cattell in vse, possession, or propertie by any maner of meanes, or couin, aboue the number of 2000. sheepe at one time, within any part of this Realme, of all sorts and kinds, (alwaies accompting vi. score to the hundred, and x. such hundreds to the thousand) vpon paine to forfeit for euery sheepe that any person shall haue or keepe aboue the number limited by this Act iii. s. iiii. d. to the D. and J. &c. to be recovered by A. &c. wherein no W. &c. E. 6. &c. But Lambes vnder the age of one whole yeere, & asmuch as shall be from the time of the falling of the, vnto the feast of the Natiuitie of S. John Bap. shall not be taken for sheepe prohibited by this statute. 25. H. 8. 13.

Lambes.

Sheepe com-
ming by exe-
cutorship, or
marriage.

4 If any person hauing sheepe of his owne, happen to be made execu-
tor, or to be administrator to any person which had sheepe at his death, or
happen to be married to any person which shall haue sheepe at the time of

the

the marriage, by reason whereof the said person shall by such meanes haue aboute the said number of 2000. then he shall lose no penaltie for hauing aboute the number of 2000. sheepe by such meanes, so that within one yeere next after such aduancement, he do put to sale, or otherwise dispose so many of the said sheepe so to him aduanced, or else of his owne sheepe that he had before, so that aboute one yeere he shall not keepe, haue, or occupie by any such meanes, or otherwise by any fraud, any more number of them, then is before limited, vpon paine before rehearsed. 25. H. 8. 13.

5 If any person by his last will giue to any child within age, any number of sheepe, and appoint them by his said last will to be kept by his executors, or by any other person, vntill the foresaid child shall come to a certaine age limited by his will: then after the death of the testator, the said sheepe so being in the possession of the executors, or of any other person to the vse of any such child within age, for the time that he shall be limited to haue the said sheepe by the will of the testator, shall not be accounted against the said executors, nor any person so hauing the sheepe, for the intent aforesaid, any of the number of the said sheepe prohibited by this act. 25. H. 8. 13.

Sheepe giuen by Will to a child within age.

6 Every person being the Queenes temporall subiect, and bozne vnder her obeisance, which shall haue or be seised of inheritance, in possession, or in vse, or that shall haue iointer in vse, or in possession, or shall be tenant in dower, or by the curtesie, or in any manors, landes, tenements, pastures, feedings, or libertie of foldage, within any part of this Realme of England, Wales, or the Marches of the same, may haue, keepe, & maintain vpon the same, his owne demesne lands, and all other his pastures, feedings, and fold courses, which he so hath, as many his owne sheepe and lambes, in number to his proper behoofe, as he lawfully might haue had & kept vpon the same at any time before the making of this act. 25. H. 8. 13.

Each person may keepe vpon his inheritance &c. as many sheepe as he will.

7 In case, any such person hauing any such estate in vse, or in possession, or in any lands, tenements, pastures, feedings, or liberties of fold courses, do keepe vpon the same the number of 2000. sheepe, or aboute, then he shall not in any wise keepe or haue any sheepe aboute the said number of 2000, vpon any landes, pastures, or feedings, which he shall haue in farme, or otherwise, vpon paine of forfeiture for euery sheepe, beside the said number of two thousand, iii. s. iii. d. 25. H. 8. 13.

He that keepeth 2000. sheepe vpon his inheritance, shall not keepe any vpon farme.

8 In case the said demesne lands, tenements, pastures, feedings, & liberties of fold courses, of any person before rehearsed, suffice not for the feeding, pasturing, & keeping of 2000. sheepe, then any such person may haue or feede vpon his said demesne lands, & vpon his farme holdes (which he lawfully may haue) to the said number of 2000. sheepe, & not aboute, vpon paine of forfe. for euery sheepe aboute that number iii. s. iii. d. 25. H. 8. 13.

2000. kept vpon demesnes, & farmes.

9 It shall be lawfull to euery person keeping a household, to haue from time to time such conuenient number of sheepe, aboute the number expressed

Sheepe for the maintenance of house, about 2000,

Sheepe.

in this Act, as shall be necessary for the only expences of his household, to be prouided, kept, & fedde, in and vpon his owne landes, or other landes such as he lawfully can prouide for, in farme, or otherwise, so that he at no time shall haue for the expences of his household, or by colour of the same, aboue the number to him limitted by this Act, any number of sheepe moe then shall suffice for the onely expences of his household for one yeere without fraud or couin. 25. H. 8. 13.

Spirituall
persons.

10 It is lawfull for all Spiritual persons to keepe such, and as many sheepe vpon their owne landes, and after such maner, & none otherwise, as they might haue done befoze the making of this Act. 25. H. 8. 13.

Fold courses
in Norff. and
Suff.

11 No Lord, owner, or farmor, of any libertie of fold courses, within any towne, tything, village, or hamlet, within any of the Countiees of Norffolke & Suffolke, shall take in farme for terme of yeeres, or otherwise, any quillet of land, or pasture, that is to say, any number of acres of land or pasture, appertaining to any other person or persons, lying within the limit, extent, or precinct of the said libertie of the said fold course, but he shall suffer the said person being for the time owner, or lessee of the said quillet, to manure & pasture the same, and also suffer the sheepe of the said owner or farmor of the said quillet, after the rate of the same quillet, to go with the flocke of the owner, farmor, or occupier of the said libertie, paying the customarie charges for the keeping and feeding of the same, after the rate and vse of the countrey there commonly vsed, without any interruption therein to be made by the said owner, farmor, or occupier of the said libertie, vpon paine of forfaiture for euery time that any such person hauing any such quillet that shall be disturbed of keeping or pasturing any of his sheepe so to be fedde and kept after the rate of his quillet, for euery such sheepe iii. s. iiii. d. But this branch concerning quilletts shall not be available to any owner or occupier of any such quillet, to claime or vse any such pasture or feeding of sheepe in any such fold courses, but onely where the tenants, owners, and occupiers of any such quilletts, haue had, or might haue had heretofore, & of duetie vsed to haue feeding in the said fold courses, by reason of their occupations of the same quilletts, and none otherwise. And where they haue not vsed, ne ought to haue any sheepe kept within any such fold courses, by reason of the said tenures, the owners, or occupiers of such fold courses may take such quilletts lying within their fold courses in farme, agreeing with the owners, or occupiers of the said quilletts for the same. 25. H. 8. 13.

Within what
time the suit
shall be com-
menced.

12 No person shall be put to any answer, or losse of any forfaiture, by vertue of this Act, at the suite of any the Queenes subiects, by action, bill, plaint, information, &c. except the suite be commenced within one yeere next after the offence committed, nor by reason of any presentment, action, or information at the Queenes suite, except the same be made for the Queene within three yeeres next after the offence committed.

Feb. 25. H. 8. 13. S. Actions popular 2.

1 In what sort, at what time, and how many Sheepe any Purueyours for the Queenes house, may take at one time. S. Purueyours 9.

Shippes, Shipping.

It is lawfull to euery of the Queenes subiects at his pleasure to carrie ^{Transporting} and transport out of this Realme, in the Ships or other vessels of any ^{of fish taken in} of the subiects aforesaid, being with crosse sailes, all and euery kinds of ^{English mens} Herring, and other Sea fish to be taken vpon the Seas, by any of the said subiects. And euery person which shall by vertue of this Act, transport any herring or other seafish from any port or harborough of this Realme, to any place out of the Queenes dominions, shall be free from payment of any subsidie, custome, or pondage money for the same fish so transported, during the space of sixe yeeres, from the end of the Session of the Parliament begun and holden 2. Aprilis, An 13. Eliz. and from thence to the end of the next Parliament after the said sixe yeeres to be summoned, & from thence during the Queenes pleasure. Anno 5. Eliz. 5. 13. Eliz. 11. But neither the Maior, Burgesses, nor inhabitants of Kingston vpon Hull shall take aduantage of this Statute, for carying Herrings or Salted fish to any ports beyond the Sea. 5. Eliz. 5. 39. Eliz. 18.

2 It is not lawfull to any person in any place within this Realme to set price, make any restraint, or take or demaund toll, or tare of any sea fish brought into this Realme, being taken by any of the Queenes subiects, in the ships or other vessels of the same subiects, vpon paine to euery person offending contrarie to the meaning hereof, to forfeit the value of the fish so restrained, priced, tolled, or tared: any libertie, custome, grant, priuiledge, &c. notwithstanding. But this Act shall not be preiudiciall to the Maior, Burgesses, &c. or any other Officer of Kingston vpon Hull, but euery of them may take all such toll, customes, and summes of money of euery such person as is limited in an Act made 33. Hen. 8. 33. 5. El. 5. 39. El. 18. ^{No price shall be set, or tolle taken of fish taken in English mens ships}

3 It shall not be lawfull to any person, to cause to be laden & caried in any bottome, wherof any stranger or strangers bozne, then be owners, shipmasters, or part owners, any things of what kind or nature soeuer they be, from one Port or Creeke of this realme, to an other of the same realme, vpon paine to forfeit all the goods so laden, or caried, or the value thereof. 5. El. 5. 39. El. 18. ^{Conueying in strangers ships from one Port to an other.}

4 No person shall bring into this realme of England, or any part of the same, any wine comming out of any of the countries belonging to the Crowne of France, or any Woad called Tholose woad, in any other vessel, but onely in such wherof some subiect of the Queenes &c. shall be then only owner, or part owner, vpon paine to forfeit all Wines and Woad brought contrarie to the meaning hereof (according to the true meaning of a Statute made 4. Hen. 7. 10, concerning wine of the Duchy of Gal-

^{No French wine or Tholose woad shall be brought in strangers ships}

Shippes, Shipping.

coine and Guyon,) except that there may be brought into Wales, or any part within the county of Donmouth, Rochel wines. 5. El. 5. 39. El. 18.

Wine brought
in strangers.
Ships.

5 But it shall be lawfull for any person or persons being strangers bozne, to bring yeerely in any ship or vessell whereof any stranger or strangers bozne shall be owner &c. into any of the hauens, ports, or townes of the Isle of Man, any wines made in any of the dominions belonging to the Crowne of Fraunce, and in any of the same ports or townes, to discharge the said Wine so bought, so that there be not brought & discharged by the same strangers, in any such strangers vessels in any one yeere, in, or at the said hauens, ports, and townes, or any of them, above an hundredth runnes at the most. In like maner & vpon the same condition may strangers bozne, bring in strangers shippes, any wines made in the dominions of France, into the hauens, portes, & townes of Chepstow and Newport in the Countie of Donmouth, and of Cardife, Carnarvon, Beaumaries, and other portes, hauens, and townes of Southwales, and Northwales, or any of them, ouer and beside all Rochel Wines heretofore allowed in this act, to be brought &c. Sauing to the Queene, her heires &c. all such duties as she ought to haue for the said wines &c. 5. El. 5. 39. El. 18. to continue to the end of the next Parliament, now next ensuing.

Ankering vpon
the sea in fish-
ing time.

6 No person vsing any Ship, boate, or vessell called Catche, Monger, or Picard, or other vessell of like vse, shall in the time of common fishing vpon the Sea coastes of Norfolk, and Suffolke, betweene the xiii. day of September, & the xiii. day of Nouember, from sunne setting, to sunne rising, anker vpon the maine Sea, or in the common streame, or trade of fishing, where the fisher men vse to driue, vpon paine to forf. their catche, monger, picard, &c. with the tackel, and all the fish in the same, or the value thereof: The one halfe to the Queene, her heires &c. the other halfe to the Bailife, Burgesses, and Communalitie of great Warmouth, to be employed to the recompensing of damages to the partie, whose Nettes shall be cut, and to the building and repairing of the decayed Hauen there, and to be taken by way of seisure, or otherwise to be recovered by A. J. &c. 13. Eliz. 11.

1 That a Denizen which shippeth any goods in a Caricke or Galley, shall pay all customes and subsidies as an Alien. S. Customes 2.

2 That a Ship shall be forfeited wherein is transported any Fugitiue, Gold, or Siluer, without the Queenes licence. S. Fugitiues 1.

3 Where, in what case, and in what maner it shall be lawfull for the owner of a Ship, or a Shipwright to take an Apprentice. S. Laborers 30.

4 At what time and Place the Master of a Ship shall receiue and discharge his loading. S. Marchants 5.6.

5 That a Master of a Ship shall giue notice to a Customer of his loading, time of departing &c. S. Marchant 7.8.

6 That the Master of a Ship shall not permit any Brasse, Mettall, &c. to be

be transported, but shall disclose the same. S. Brasse 3.

7 That a Ship shall be forfeited wherein is transported Corne, Beere, Butter, Cheefe, Herring, or Wood, without licence. S. Corne 1.

8 In what case a Ship shall be forfeited, wherein is transported any Leather, Tallow, or raw Hides. S. Leather 33.

Shirifes.

NO man shall be Shirife in any Countie, except he haue land sufficient in the same Countie, to answer the Queene and her people. *A Shirif must have sufficient land.*

9. Ed. 2. 2. Ed. 3. 5. 4. Ed. 3. 8. 5. Ed. 3. 5.

2 No Steward or Bailife of any great Lord, shall be made Shirife, except he be put forth of seruice: But such a Shirife shall be appointed which may wholly attend to serue the Queene and her people, Lincoln,

9. Ed. 2.

3 Euery Shirife within England shall dwell in his proper person within his bailwicke, for the time that he shall be officer. 4. H. 4. 5. *Such shall be Shirifes as may attend.*

4 No Shirife, Under Shirife, or Shirifes Clerke, shall remaine in his bailwicke or office aboue one yeere, and after that yeere, an other fit and sufficient person shall be ordained in his place. 14. Ed. 3. 7. 42. Ed. 3. 9. *The Shirife shall continue within his countie.*

And none that hath bin Shirife of any Countie one whole yeere, shall be appointed Shirife of that Countie by the space of three yeeres next insuing, if there be any other sufficient of lands & goods in the same Countie to answer to the Queene & her people. 1. R. 2. 11. (The Under Shirife, and all other Officers within the citie of London, the Under Shirife, & all other officers of Shirifes, within the shire of the towne of Bristow, 6. H. 8. 18. and such Counties in which any persons at the time of the foresaid statute made, viz. 25. Februarii, Anno Dom. 1444. were inheritable to the office of Shirife, and the Letters patents made to them of the office of Shirif, Under Shirife, and Shirifes Clerkes only except. 23. H. 6. 8.) And if any Shirif, Under Shirif, or Shirifes Clerk, do occupie the office of Shirife, Under Shirife, or Shirifes clerk, contrarie to the foresaid statutes, or contrarie to the effect or intent of any of them, (except before excepted) then he shall forfeit CC. pound yeerely, as long as he doth so occupie. And euery pardon made for such offence, occupation, or forfeiture of the summes before recited, shall be void. And all Patents to be made of any of the said offices, for terme of yeeres, for terme of life, in fee simple, or in fee taile, to any of the Queenes liege people, (except before excepted) shall be void notwithstanding any clause or sentence of Non obstante put in such patents. *None shall be Shirife or Under Shirif aboue one yeere.*

And whosoever doth take vpon him to receiue, or occupie the said office of Shirife, by vertue of any such grants or patents for terme of yeeres, for terme of life, in fee simple, or fee taile, shall be for euer disabled to be or beare the office of Shirife in any Countie of England. And euery of the liege people which will, may sue for the said summe forfeited against him which doth forfeit the same, in an action of debt in his owne name, &

Statutes of Shirifewicke.

Shirifes.

Where a Shirife may occupy above one pere.

The Queene shall haue the moitie of all that which is recouered, and he that sueth the other. 23. H. 6. 8. But euery old Shirife of euery countie hath full authoritie, aswell lawfully to execute and returne euery writ, precept, or warrant, in euery of the Queenes courts of record at Westm. deliuered to him, as to doe & execute euery other thing which to the office of Shirife lawfully pertaineth at all times during Michaelmas terme, and Hillarie terme, vnlesse he be befoze the same time lawfully discharged of his occupation of Shirife, without sustaining any damage, for failure, or paine. 12. Ed. 4. 1. 17. Ed. 4. 6.

The Shirife shall not let his countie nor bailiwick to farne.

5 No Shirife shall let to farne in any maner his Countie, nor any of the bailiwicks, hundreds, nor wapentakes. And the Shirife (among other articles comprised in his oath) shall be from time to time sworn, that he shall not let his bailiwick to farne. 4. H. 4. 5. 23. H. 6. 10.

The Shirife and his baylives fees for arrests.

6 No Shirife, Undershirife, Bailife of franchise, nor any other Bailife, by occasion, or vnder colour of his office, shall take any other thing by themselves, or by any other person to their vse, or profite, of any person by any of them arrested, or attached, nor of any other for them, for the omitting of any arrest, or attachment to be made by their bodies, or of any person, by any of them by force or colour of their office arrested, or attached, for fine, fee, mainprise, letting to bayle, or for shewing any ease or fauour to any such person so arrested, for their reward or profite, but such as followeth: viz. the Shirife xx. s., the Bailife which maketh the arrest or attachment iiii. s., and the Gaoler (if the prisoner be committed to his ward) iiii. s. 23. H. 6. 10.

The Shirifes due tie for making a copie of a panell.

7 The Shirife, Undershirife, Shirifes Clerke, Steward, or Bailife of franchise, seruant to the Bailife or Coroner, shall not take by colour of his office, by himselfe, nor by any other person to his vse, any thing of any person for the making of any returne or panell. And for the copie of a panell iiii. s. 23. H. 6. 10.

Bayling of prisoners, or persons arrested.

8 The Shirifes, and all other officers and ministers aforesaid, shall let out of prison, all maner of persons by any of them arrested, or being in their ward by force of any writ, bill, or warrant, in any action personall, or by reason of any indictment of trespass, vpon reasonable suertie of sufficient persons hauing sufficient within those Counties where such persons be so let to bayle or mainprise, to keepe their daies in such places, where the said writs, bills, or warrants do require, (only except those persons which shall be in their ward by condemnation, execution, Capias vtlagarum, or Excommunicatum, suerty of peace, and all such persons which shall be committed to ward by the speciall commaundement of any Justice, and vagabonds &c.) But if the Shirifes returne vpon any person, Cepi corpus, or Reddidit se, they shall be chargeable to haue the bodies of the said persons at the daies of the returnes of the said writs, bills, or warrants, in such manner as they were chargeable befoze the making of this act. 23. H. 6. 10.

The Shirife returning Cepi corpus, vel Reddidit se.

9 No Shirife, nor none of the officers, or ministers aforesaid, shall take or cause to be taken or made, any obligation for any cause aforesaid, or by colour of their office, but only to themselves, of any person, nor by any person which shall be in their ward, by course of the lawe, but in the name of their office, and upon condition written that the said prisoners shall appeare at the daie contained in the said writs, bill, or warrant, and in such places, as the said writs, bills, or warrants shall require. And if any of the said shirifs, or other officers aforesaid, take any obligation in any other forme by colour of their offices, it shall be void. And he shall take no more for the making of any such obligation, warrant, or precept by him to be made but iiii. s. 23. H. 6. 10.

Obligation for
apparance.

10 Every of the said shirifes shall make perely a deputie of recorde in the Queenes Court of Chauncerie, Kings Bench, Common place, and in the Eschequer, before that they shall returne any writs, to receive all maner of writs, and warrants to be deliuered vnto them, 23. Hen. 6. 10. And every shirife of every the twelue counties in Wales, and of the counties palantine of Lancaster, Chester, and the cite of Chester, shall haue in the Kings Bench, and Common place, one sufficient deputie at the least, 5. Ed. 6. 26. S. Exigent. 7.

The shirife of
euery shire shall
make a deputie
in euery Court.

11 All Shirifs, Under shirifes, Clerkes, Bailifes, Gaolers, Coroners, Forfeitures, Stewards, Bailifs of franchises, or any other officers or ministers, which do contrary to this foresaid ordinance made 23. Hen. 6. 10. in anie point of the same, shall lose to the party in this behalfe endammaged or grieved his treble damages, & shall forfeit xl. l. at every time that any of them doe the contrary in anie point of the same, whereof the Q. shall haue the one halfe to be imploied only to the vse of her house, and the partie that will sue, the other halfe. But the warden of the fleete, and of the Queens palace at Westminister for the time being, shall not be preiudiced by this ordinance in his duetie of his office, 23. H. 6. 10.

wardens of
the fleete, and
of the palace at
Westminster.

12 Shirifes in their turnes and otherwise, when they haue to inquire of malefactors by the Queens commandement or by vertue of their office, shall make such inquisitions of those offenders by xii. lawfull men at the least which shall put their seales to those inquisitions (and the roll of the inquisition shall be indented, wherof one part shall remaine with the indictors, and the other with the shirif or other which taketh the enquest, so that the indictment shall not be imbedded. 1. Ed. 3. 16.) And if the shirifs do imprison any other then those which be indicted by such inquisitions, they which be so imprisoned shall haue their action of false imprisonment against the shirife, as they should haue against anie other person which should imprison them without warrant. And the foresaid ordinance provided for shirifes shall be obserued of every Bailife of libertie, 21. 2. 13. Ed. 1. 13. But if any indictments or presentments shall be taken before any shirifs of Counties, their Under shirifes, Clerkes, Bailifes or ministers

The order of
indictments
taken in the
shirifs turnes.

Indictments
take in the
shirifs turnes shall

gers

be deliuered to
the Iustices of
peace.

sters at their Turnes, or Lawdaies, They nor none of them haue power to attach, arrest, or put in prison, or to leuie anie fines or amerciaments of any person or persons so indicted or presented, by reason or colour of anie such Indictment or presentment; nor to take of any such person so indicted or presented any fine or ransome, but they shall bring and deliuer all such indictments & presentments to the Iustices of peace at their next session of the peace, that shalbe holden in the County where such indictmēt & presentments shall be taken. And if any of the said Shirifs, undershirifs, their clerkes, bailifes, & ministers do not bring, deliuer, & present all such indictmēt & presentmēt so taken befoze them in their turnes, or Lawdaies, at such sessions of the peace befoze the said Iustices of peace, Then they and euery of them that so shall faile therof, shal forfait to the Queene xl. pound at euery time that they or any of them doth contrary. 1. Ed. 4. 2.

Iustices shal a-
ward proces a-
gainst those
which be in-
dicted in the
Shirifs turne.

13 The said Iustices of peace haue authority to award proces vpon all such indictments and presentments, as the law doth require, & in like form, as if the same were taken befoze the said Iustices in the said county. And also to arraigne, and deliuer al such persons so indicted and presented befoze the said Shirifes, undershirifes, their clerkes, bailifes, and ministers, or any of them, in their said turnes or law daies. And euery person which shalbe indicted or presented of trespass, shall make such a fine as shal seeme lawfull by the discretions of the same Iustices. 1. E. 4. 2.

Estreats rede-
liuered to the
Shirifes by the
Iustices.

14 The estreats of the said fines and amerciaments shalbe inrolled, and by indenture deliuered to the said Shirifs, undershirifes, their clerks, bailifes, or ministers, or some of them, to the vse and profite of him that was Shirife in the said countie, at the time of such indictments, or presentments taken. And if any of the said Shirifes, their undershirifes, clerkes, bailifes, or ministers, do arrest, attach, or put in prison, or cause any fine, or ransome to be taken, or leuie any amerciament of any person so indicted or presented, by reason of any such indictment, or presentment, taken befoze them at their turnes or lawdaies, befoze that they haue proces from the said Iustices of Peace, or estreats deliuered out of the said indictments or presentments: Then the said Shirife which so doth, shall forfait an hundred pound, the one halfe to be imployed to the expences of the Queenes house, and the other to the party indamaged, which shal haue an A. of debt at the common Law, and like proces as in an action of debt, wherein no W. & C. E. P. & C. 1. Ed. 4. 2.

Shirifes of
London Gran-
tees of fines.

15 But this act doth not extend to the Shirifes of London, concern-
ing any indictments or presentments taken within the said citie, nor to any person which hath grants of any fines or amerciaments by any letters patents of any of the Queenes progenitors, bearing date befoze the tenth day of December, An. 1. Ed. 4. and An. Dom. 1461. nor to any person hauing any liberties or franchises by any of the said letters patents, or in any other maner by prescription. 1. Ed. 4. 2.

16 No Shirifes, vnderhirifes, shire Clerkes, neither any person in their names, nor by their commandement, shal take and enter any plaints into their bookes, in any mans name, vnlesse the partie plaintife be in proper person present in the courts, or els by a sufficient attourney or deputie that is knowne to be of good name and disposition. And the same plaintif shall finde pledges to pursue his said plaint, such persons as are knowne there in that countie. And the plaintife shall haue but one plaint for one trespass, or contract, and if the said shirifs, vnderhirifs, shire clerke, take, enter or cause to be entred, any moe plaintes then the plaintife supposed that he hath cause of action against the defendant: Then the said shirife, vnderhirife, &c. that offendeth, shall forfeit for euery default xl. s. to the D. and J. &c. to be recovered in the Eschequer. And ouer that the Iustices of peace in the same counties, and euery of them, haue authoritey vpon complaint made by the partie so vnlawfully grieved, to examine the said shirifs, vnderhirifs, or shire clerke, & plaintifs. And if they or one of them And by the examination, default in the said Shirife &c. in entring of the said plaints deceitfully for his advantage, contrary to this act. Then the said Shirif &c. shalbe conuict and attaint of the same offence, without further enquiry, & he shal forfeit vpon the same examination xl. s. to the D. for euery default, and the said Iustices that so shall take the examination, shall certifye the same within a quarter of a yeere, into the Eschequer, vpon paine of xl. s. 11. H. 7. 15.

No plaints shalbe entred but where the plaintife or his Attourney is present.

Pledges de prosecution.

Entring of moe plaints then the plaintife hath cause of action.

Examination by the Iustices of peace.

17 The said Shirifs, vnderhirifs, and Shire clerkes shall make or cause to be made a sufficient precept to the Bailifs of the hundreds, to attach, summon, and warne the defendants that are so in suite to appeare & answer to the said plaints. And if there be any default in the said bailifes, in warning of the said defendants or in executing their office, then the same Bailifs shall forfeit for euery default to the D. xl. s. and be attaint thereof by like examination of the Iustices of peace or euery of them, as is before rehearsed. 11. H. 7. 15.

Execution of precepts by Bailifes.

18 Shirifes, Underhirifes, Shire clerkes, and their deputies, shall make none estreats, to leuie the said shirifes amerciaments, vntill two Iustices of peace, (whereof one shalbe of the Quorum) haue had the view and oversight of their bookes, and that the estreats be indented betwixt the said Iustices and the said Shirifes, and vnderhirifs, and sealed with their seales, the one part to remaine with the said Iustices, and the other part with the said Shirifs, or Underhirifes, for the intent to vnderstand if any deceit or vnttrue demeaning be in them in making of their bookes. 11. H. 7. 15.

Two Iustices shall view the shirifes estreats.

19 Those persons which shalbe gatherers of the same amerciaments, as bailifs, or other officers, shalbe sworn by the said Iustices, that they shal take no moze money then is forfeited & contained in the said estreats sealed with the seales of the said Iustices vpon the same pain of forfeiture

Bailifes shalbe sworn to gather but what is due.

as before is rehearsed, thereof the same gatherers to be conuict by examination of the Iustices, or one of them &c. 11. H. 7. 15. Neither shall any shirife be charged to leuie any issues, nor shall leuie any before the same goe out of the Eschequer by estreats. And euery man shall be charged of those issues forfeited aswel as of amerciaments. And if the Shirife wil retorne the issues of any recognisor, pledge, or mainpernor, which at the time of the retorne, was not sufficient to answer the said issues & amerciaments, the Shirife himselfe shall answer, and shall be therewith charged in the Eschequer. And if the Shirife retorne the names of any mainpernor, iuror, or other but according to the tenor of the writs to him directed, or do retorne the names of any pledges, except the same pledges do thereunto consent, he shall be grievously punished. 27. Ed. 1. Stat. de finibus.

The shirife
that execute
his warrant
and no more.

Iustices assign-
ed to ouersee
the shirifes
& estreats.

20 The Iustices of peace shall be appointed and named at the generall sessions after the feast of S. Michael, by him that is Custos rotulorum of the said countie, or els by the eldest of the Quorum in his absence, to haue the ouersight & controlment of the said Shirifes, vndershirifes, & Shire clerkes, and other of the said officers, and of the said shirifs amerciaments. And the said Iustices of peace vpon suggestion or information of the partie griued, shall make like proces, as in an action of trespassse against the said shirifs, vndershirifs, or shire clerkes, and other the aforesaid officers misgouerning as is aforesaid, for to appeare before them to answer to the said suggestion, or information. 11. H. 7. 15.

No shirife shall
be Iustice of p.
in the same
countie.

21 No person hauing, vsing or exercising the office of a shirife of any countie or counties, shall exercise the office of a Iustice of the peace, by force of any commission or otherwise, in anie countie or counties where he shall be shirife, during the time only that he shall vse or exercise the said office of shirifwike, & euery act done by authoritie of anie commission of the peace during the time abouesaid, shall be void. 1. H. 1. Parliament 8.

Four deputies
to make reple-
ues.

22 If the shirife of any shire (being no citie or towne made shire) do not within two moneths after he hath receiued his patent of shirifwike, appoint and proclaime in the shire towne foure deputies at the least, one dwelling not aboue twelue miles distat from another in the shirifs name to make repleues & deliuerance of distrelles in such maner & forme as the shirife may or ought to do, he shall forfeit for euery moneth that he shall lack such deputies, v. l. to the D. and J. to be recovered by A. J. &c. where in no W. &c. E. P. &c. 1. and 2. P. and M. 12.

Wrongful sei-
sure of another
mans lands or
goods.

23 If any Shirife, Escheto, or other officer of the Queenes, do seise the lands, goods or cattels of any man, surmising that he is outlawed, because he is of the same name y some other person is which is outlawed, the partie shall haue a writ of Idempnitatem nominis, & shall finde surty to the shirife, or other officer, which hath warrant to seise, to answer to the D. the value of the goods or cattels, in case he cannot discharge himselfe, without any thing therfore paying. And if the shirife or other officer &c.

doth

doth not take the same, the party grieved may haue his suit against him, & recouer his double damages, And also the said officer shall receiue grieuous punishments at the Queenes hands. 37. Ed. 3. 2. And the writte of Idempnitate nominis is maintainable for the executors of euery testator, aswel as the same action was before maintainable by the person himselte which was molested by cause or colour of any outlawrie. 9. H. 6. 4.

Idempnitate
nominis.

24 If any Shirife, Undershirife, Eschetoꝝ, Bailife of franchise, or other person do take or seise the goods of any person arrested & imprisoned, before the same person be conuicted or attainted of felonie according to the law, or that the same goods be otherwise lawfully forfeited, he shal pay to the party grieved the double value of the goods so taken or seised, to be recouered by A. of debt, wherein no T. & C. E. P. & C. 1. R. 3. 3.

The shirif shal
not seise the
goods of a pri-
soner untill he
be attainted.

25 Hundredoꝝ, viz. bailifs of hundꝛeds, which be knowen and swoꝛne in the ful countie, shal make execution of all writs which come to the shirife and none others (except it be in the great default or notozious disturbance of the hundꝛeders) and then other persons which be conuenient and swoꝛne, shall make execution, so that the people may alwaies knowe to whom to resoꝛt for such execution (sauing the returne of writs to them which of right ought, &c.) And the same hundꝛedoꝝ shall be credible persons, & shall haue lands sufficient in the same hundꝛed, or in the countie where the hundꝛed is, so that they shal not need to vse extoꝛtion, Lincolne 9. Ed. 2. 2. Ed. 3. 5. 5. Ed. 3. 4. 4. Ed. 3. 9. And the shirifs shall place such bailifs for whom they will answer. And so shall those Loꝛds which haue hundꝛeds and wapentakes in fee. 14. Ed. 3. 9.

Bailifes of
hundꝛeds.

26 They which be shirifs bailifs one yere, shall not be in any such office by the space of thꝛee yeres next ensuing, except the bailifs of those shirifs which haue inheritance in their shirifwikes. 1. H. 5. 4.

Shirifs Bail-
ifs shal not be
in the office ut-
terly after.

27 The shirife shall haue counter rolles with the Coroner aswell of appeales, as of enquests of attachments, and other things which doe belong to the Coroners office, West. 1. 3. Ed. 1. 10. But no Shirife, Constable, Eschetoꝝ, Coroner, or any other Bailife of the Queenes, shall hold places of the Crowne. Magna Charta 17.

Counter rolles
with the Co-
roner.

28 Where the shirife ought to returne the Queenes writ to a bailife who hath right to returne the writ, if the bailife of the franchise do not make deliuerance of the cattell impounded after the shirife hath made the returne vnto him, the shirife shall doe his office without delay, vpon paine of foꝛf. of double damages. West. 1. 3. Ed. 1. 17. Marleb. 5. 2. H. 3. 2. 1.

Deliueraunce of
cattell, by the
shirife vpon de-
fault of the
bailife of the
liberty.

29 The Queene her heirs and successors, Kings or Queenes of this Realme, shall and may yeerely choose, and make for euerie of the counties of Essex and Hertford, Somerset and Dorset, Warwike and Leicesters, Nottingham and Darbie, Dron. and Bark. one sufficient and able person to be shirife of the same, in such like maner, as is & hath been vscd to be made for any other countie within this realme. And euery person which

Shirifwikes
diuided.

which shalbe appointed shirife for any of the said counties shal be accountable, and vſed in the order of his accompt, and all other things and allowance to him made in the Eſchequer and all other courts and places, in ſuch maner and forme, as is commonly vſed for ſhirifes in like caſe, An. 8. Eliz. 16. 13. Eliz. 22.

But halfe the charges ſhalbe paid for ſhirif-wikes diuided.

30 No Shirife choſen and made of any one of the forſaid Counties, ſhall pay in any court of record for any duetie belonging properly to the office of Shirife, any other fees, or charges then onely the one halfe of the charges & fees which he ſhould be compelled to haue paid, if he had beene Shirife of two of the ſaid ſhires and counties, as befoze the making of this act was vſed, 8. Eliz. 16. 13. Eliz. 22.

31 Per ſtat. 7. R. 2. 6. Euery Shirife of England ought in proper perſon to make proclamation of the ſtatute of Wincheſter provided. 13. Ed. 1. againſt homicides, burning of houſes, robberies, and other felonies ſoure times in euery yeere, in euery hundred of his bailiwiki, and by his bailiffs in euery market, as well within liberties as without.

Euery vnder-shirife ſhall be twice ſworne.

32 All and euery perſon and perſons, that ſhalbe admitted to, or take vpon him the executing of the office of an vnderſhirife, in any ſhire or countie, within this Realme of Englan, befoze he intermeddle with the vſe, or exerciſe of the ſaid office, ſhall receiue & take a corporall oth vpon the holy Euangelists, befoze the J. of Aſſiſe, or one of them, of the ſame circuit wherein that countie is, wherof he ſhalbe vnderſhirif, or befoze the Cuſtos Rotulorum, or two Juſtices of the peace, whereof one to be of the Quorum of the ſaid countie, whereof he ſhalbe vnderſhirife, as afozeſaid, for and concerning the ſupremacie in ſuch maner and forme, as that othe is expreſſed and declared in one acte of Parliament made and ordeined, Anno 1. El. Together with which othe, he ſhall in like ſort, befoze the ſame perſon or perſons, receiue and take one other corporall othe as followeth (that is to ſay) I. A. B. ſhall not vſe or exerciſe the office of vnderſhirife corruptly during the time that I ſhall remaine therein, neyther ſhal or will

S. Queene 4.

No reward for the impanel-ling of an inqueſt.

accept, receiue or take by any colour, meanes, or deuſe whatſoeuer, or conſent to the taking of any maner of fee or reward, of any perſon or perſons, for the impanel-ling, or returning of any Inqueſt, Iurie, or Tales, in any Court of Record for the Queene, or betwixt partie and partie, aboue ij. s. or the value thereof, or ſuch fees as are allowed and appointed for the ſame, by the lawes and ſtatutes of this Realme. But will, according to my power, truly and indifferently with conuenient ſpeed impanell all Iurours, and returne all ſuch writ, or writs touching the ſame, as ſhall appertaine to be done, by my duetie or office, during the time that I ſhall remaine in the ſaid office. So helpe me God. And this act ſhalbe a ſufficient warrant to the perſons appointed by this act, to miniſter the othe afozeſaid, for the miniſtring thereof accordingly. 27. Eliz. 12.

33 Euery Bailife of franchise, deputie and clerke of euery Shirife and

and Undershirife, and euery other person and persons, which shall haue authoritie, or take vpon him to impanell or retorne anie Inquest, Iurie, or Tales, or to intermeddle with execution of processe, in any Court of Record, shall, before he or they intermeddle with any further execution therof, receiue & take the othes aforesaid corporally, before the person or persons appointed by this act to minister the same, or before the head officer of the place, if it be a towne corporat, changing only the words (the office of Undershirife) contained in the othe expressed in this act, to such words as are conuenient for the deputation, office or place, in which the partie, which taketh the othe, is to be exercised in. And if any the said persons, limited to take the othe aforesaid, do take vpon him to impanell or retorne any Inquest, Iurie, or Tales, or to intermeddle with the execution of processe, not hauing before taken the othes aforesaid: Then euery such person shall forfeit. xl. s. to the D. and J. to be recovered in anie of the D. Courts of Record by A. B. P. J. wherein no W. E. P. &c. 27. Eliz. 1 2.

Bailifes of franchises, shirifs clerks, and deputies, shall take the foresaid othes.

34 If any Undershirife, or other person mentioned in this act, or any of them, shall do, or commit any act or acts contrarie to the othes aforesaid, or either of them, or contrary to the true intent & meaning of this act, Then euery such person so offending shall forfeit for euery such offence to the partie or parties grieved, his or their triple damages, to be recovered by A. B. P. or J. in any of the D. courts of Record, wherein no W. E. P. &c. 27. Eliz. 1 2. S. Iustices of peace. 100.

The forfeiture of the Offenders.

35 It shall not be lawfull to or for any Shirife, Undershirife, bailife of franchises or liberties, nor for any of their or either of their officers, ministers, seruants, baylifes or deputies, nor for anie of them, by reason or colour of their or either of their office or offices, to haue, receiue or take of any person or persons whatsoever, directly or indirectly, for the seruing and executing of anie extent or execution vpon the body, lands, goods, or chattels of any person or persons whatsoever, more, or other consideration or recompence, then in this present act is & shall be limited & appointed, which shall be lawfull to be had, receiued & taken, That is to say, xii. d. of and for euery xx. s. where the summe exceedeth not one hundred pounds, and six pence of and for euery twenty shillings, being ouer and aboue the said summe of one hundred pounds, that he or they shall so leuie or extend, & deliuer in execution, or take the body in execution for, by vertue, & force of anie such extent or execution whatsoever, vpon paine and penalte that all & euery Shirife, Undershirife, bailife of franchises or liberties, their and euery of their ministers, seruants, officers, bailifs, or deputies which at any time shall directly or indirectly do the contrarie, shall lose & forfeit to the partie grieved his treble damages, & shall forfeit the summe of xl. pounds of good and lawfull English money, for euery time that he, they, or any of them shall doe the contrarie, to the D. and J. to be recovered by A. S. B. or J. wherein no W. E. P. &c.

How much the shirifes may take for the seruing of an execution.

Provided

Shirifes.

- Fees for executions within cities or towne corporat.** Provided alwaies, that this act, or any thing therein contelned, shal not extend to any fees to be taken or had for any execution within anie citie or towne corporat, any thing aboue mentioned to the contrary thereof notwithstanding. 29. Eliz. 4.
- Bailifes of liberties.** 1 That euery statute provided for shirifes shall extend to bailifes of liberties. S. Franchises 1.
- Redisseisin.** 2 For the Shirifes ducie in executing the writ of Redisseisin. See Redisseisin 2. 3.
- Repleuying a distresse.** 3 For the Shirifes dutie in repleuying of a distresse, and taking band for prosecuting the sute, and making of Returne. S. Repleuine 1. 3.
- Riots.** 4 For the Shirifes ducie in recording and certifying of Riots. See Riots 1. 3.
- Returns.** 5 For the returnes of Shirifes and Baylifes of liberties. See Returne of Shirifes.
- Estreats.** 6 That the Shirife must shew to the party indebted, the estreats sealed, and vpon the payment, Tot the same. S. Estreats 1.
- Amerciaments.** 7 That amerciaments for insufficient returnes by Stewards or Baylifes of liberties, shall be set vpon their heads, and not vpon the Shirifes. See Franchises 3.
- Attorney.** 8 That no vnder shirifes, shirifes clearke, receiuer, or bailife, shall be attorney. S. Attorney 9.
- Counterfeiting weights.** 9 That shirifs may enquire of counterfeitors of false weights, and punish them. S. Weights 13.
- A womans writ.** 10 What a Shirife shall forfait which doth not execute a writ to him directed at the sute of a woman which is enforced to be bound by obligation or statute. S. Women 14.
- D. debtor.** 11 That the Shirife shall discharge his distresse, which can finde him suretie to gree for the thing in demand, and that the Shirife shall acquit the Queenes debtor of that which he hath receiued. See account to the Queene 45.
- Disseisin.** 12 How the Shirife shalbe punished, which by the colour of his office doth disseise any man. S. Assise 4.
- Array assises.** 13 In what time a Shirife shall array assises, and deliuer the copies. See Assise 8.
- Escape.** 14 What the Shirife shall forfait, which doth suffer an escape, or doth take any thing for an escape. S. Escape. 1. 2.
- Haukes.** 15 How the Shirife shall vse a Hawke which is founde, taken vp, and brought vnto him. S. Haukes 2.
- Bailing an offender.** 16 For the punishment of the Shirife which letteth one goe which is not repleuisable. S. Mainprise 60.
- Knights of the Parliament.** 17 For all the Shirifes ducie about the electing and returning of knights of the Parliament, Burgesses of the Parliament, and leuying of their wages. S. Parliament 4. 5. 8. 12.

- 18 That euery Shirife shal inquire of defaults in not keeping of stoned Stoned horses.
Horses, and certesie the same into the Eschequer. S. Horses 12.
- 19 That a Shirife may take out of Sanctuary any abiured person com- Sanctuarie.
mitting Felony. S. Sanctuarie 9.
- 20 In what case and maner the Shirife vpon precepts shall go to in- Enquire of
quire of wast. S. Wast 3. wast.
- 21 That the Shirifes shall attend vpon a Iustice of peace to arrest Forcible en-
those which make any forcible entries. S. Force 4. tries.
- 22 What Iurors, and of what sufficiencie the Shirife in seuerall cases Returning
shall returne, and vpon what paine. S. Iurours 12. 13. 14. 16. 19. 20. Jurors.
- 23 What fine shall be assessed vpon a Shirife which is negligent in
executing a precept to him directed, touching the statutes of Husban-
drie and Tillage. S. Husbandrie 9.
- 34 In what maner the Shirife shall make purueyance for the Queenes Purueyors.
horses and dogges within his Countie. S. Purueyors 10.
- 25 By whom the Shirifes in Wales shall be appointed their authori- Wales.
tie, accompt, courts, fees, &c. S. Wales 36. &c.
- 26 Amerciaments of Shirifes for insufficient returnes. S. Returnes 11. Returnes.
- 27 That Shirifes shall execute such proces which shall come to them
from Iustices of peace, touching annoyance of bridges. S. Bridges 8.

Silke.

NO person shall bring, or cause to be brought into this Realme of These things
England to be sold, any Silke wrought by it selfe, or with any other wrought of
stuffe in any place out of this Realme, in ribands, laces, girdles, cozses, silke may not
caules, cozses of tissues, or points, vpon paine to forfeit to the Queene and be brought in-
any of her subiects that will seise the same, (the which to doe, it shall be to England,
lawfull to euery of the Ducenes subiects) all the same ribands, laces, &c.
in whose hands soeuer they be found, or the value of the same. But it shall
be lawfull to euery person, as well strangers as other, to bring into this
Realme all other maner of silkes, as well wrought as raw, or unwrought,
to sell at his pleasure. And it shall be lawfull to all persons that haue any
such ribbands, laces, girdles, caules, cozses of tissues, or points wrought
beyond the Sea brought into this land by the Queenes licence, and to be
sold, to make sale of the same. 19. H. 7. 21.

1 Who may weare any Silke, in, or vpon his garments, and who not.
See Apparell.

Sope vessels.

EUery Sopemaker putting to sale Sope, shall cause an empty barrell
to containe xxii. gallons, or aboue, & not to be in weight aboue xxvi.
pounds, A halfe barrell empty not to weigh aboue xiii. pounds, and to con-
tein xvi. gallons, or aboue, An empty firkin not to weigh aboue vi. pounds
and a halfe, and to containe vii. gallons or aboue of full and iust measure,
vpon paine to forfeit for euery vessel contrary iii. s. iiii. d. to the D. and J.

Statutes and Recognisances.

to be recovered by A. B. J. wherein no M. C. P. or J. &c. 23. H. 8. 4.
S. Cowpers 1. Iustices of peace 79.

Statutes and Recognisances.

Statute Merchant.

The seale of the Statute.

The debtoz imprisoned.

The Stat. certified into the Chancerie.

Execution of the debtors lands & goods.

Every Merchant that will be sure of his debt, shall cause his debtoz to come befoze the Maioz of London, Dozke, or Bristow, or befoze some chiefe Wardein of one of these, or some other good towne thereunto assigned by the Queene, and befoze the Maioz, chiefe Wardein, or other sufficient men chosen and swozne thereunto, when the Maioz, or chiefe Wardein cannot attend, and befoze one of the Clerkes thereunto by the M. assigned, when both cannot attend, and to acknowledge the debt, & the day of payment. And the Recognisance shall be inrolled by the hand of one of the Clerkes which shall be knowen, and the roule shall be double, whereof one part shal remaine with the Maioz or chiefe Wardein, & the other with the said Clerk. And one of the Clerkes with his owne hand shall write the Obligation, to which writing the debtors seale shall be put with the M. seale so that vse pꝛovided, the which seale shall be of two peeces, whereof the great peece shall remaine with the Maioz, or chiefe Wardein, & the other in the custodie of the foresaid Clerkes. And if the debtoz doe not pay the debt at the day to him assigned, the merchant shall come to the Maioz and Clerke with his writing obligatorie. And if it be found by the roule or writing, that the debt was knowledged, & the day of payment expired, the Maioz or chiefe Wardeins shall cause the body of the debtoz to be apprehended (if he be a lay man) whensoever he cometh within his iurisdiction, and committed to the prison of the same towne (if there be a prison) and there he shall remaine at his owne costes, untill he hath agreed for the debt. And the keeper of the towne prison shall receive him by the deliverance of the Maioz or chiefe Wardein, and if he shal not receive him, the keeper of the prison shall immediatly answer the debt, if he haue wherewith, but if he haue not wherewith, he shall answer the debt which committed the keeping of the prison unto him. And if the debtoz cannot be found within the power of the Maioz, or chiefe Wardein: then the Maioz or chiefe Wardein shall send the Recognisance of the debt vnder the M. foresaid seale unto the Chauncerie, from whence shall be directed a writ to the Shirife within whose bailiwicke the debtoz may be found, that he shall take his body (if he be a lay man) and keepe him in safe prison, untill he hath agreed for the debt, & within a quarter of a yeere after he is taken, he shal haue his lands and goods delivered unto him, so that with them he may liue and pay his debt, and it is lawfull for him within this quarter to sell his lands & tenements to discharge his debt, & his sale shall be good. But if he doe not agree within the quarter, after the quarter of a yeere expired, all the goods & lands of the debtoz shall be delivered to the Merchant by a reasonable extent, to hold untill the debt be fully leuied, and neuertheless the bodie shall remaine in prison, and the merchant shall find

And him bread & water. And if they which do praise the moueable goods which are to be deliuered to the creditor, do praise them at too high a price in fauor of the debtoz, and to the damages of the creditor, the thing praised shall be deliuered to them for the price which they haue set, and they shall immediately answer the creditor his debt. But if the debtoz will say that the moueable goods were sold or deliuered for lesse then they were worth, thereof he shall haue no remedy, for that the goods were lawfully sold to him that would offer most for the same, for he may reckon it his own folly which might haue sold his goods before the suit commenced, & leuied the money with his owne hands, and would not. And the Merchant shall haue in the land so deliuered to him, such seisin, that he may thereupon bring an Assise of Nouel disseisin, if he be put out, and a Redisseisin also as of his freehold, to hold to him & to his assignes untill the debt be paid, and after the debt be leuied and paid, the body of the debtoz shall be deliuered with his lands. And in the writs which shall be directed out of the Chaucerie, mencion shall be made, that the Shirife shall certifie the Iustices of the one Bench or the other, at a certaine day, how he hath performed the Queenes commaundement, at which day the merchant shall sue before the Iustices, if he be not satisfied. And if the Shirife returne no writ, or returne that the writ came too late, or that he hath sent to the Bailifes of franchises (then the Iustices shall do according as is contained in the statute of West, 2.) And if the Shirife returne that the debtoz is not found, or is a Clerke, then the merchant shall haue writs to all the Shirifes where he hath land, that they shall deliuer all the cattels & tenements of the debtoz by a reasonable extent, to hold to him & his assignes in forme aforesaid: and neuertheless he shall haue a writ to what Shirife he will, to take his body (if he be lay) and to hold it in forme aforesaid. And the keeper of the prison must keepe him safely, for he shall answer the body, or the debt, & after the debtoz's lands be deliuered vnto the merchant, the debtoz may well sell his lands, so that the merchant receiue no damage by the approuement. And the merchants shall haue all their necessarie damages & costs in trauell, suit, delay, & expences allowed vnto them, & if he be a merchant stranger, he shall remaine at the costes of the debtoz, for so long time as he tarryeth about the suit of his debt, and untill the goods of the debtoz be sold or deliuered vnto him. And if the debtoz doe find pledges or suerties after the day passed, the suerties shall be vsed in all respects, as is aforesaid of the principal debtoz, concerning taking of their bodies, deliuering of their lands, & other things. But so long as the debt may be fully leuied of the moueable goods of the debtoz, the suerties shall receiue no losse. And when the debtoz's lands shall be deliuered to the Merchant, he shall haue seisin of all the lands which were in the debtoz's hands the day of the recognisance knowledged, into whose hands soeuer they do after come, either by feoffment, or other maner. And after the debt paid, the land & the issues

The goods intended deliuered to the creditors.

A remedy for tenant by statute merchant being put out.

S. Returne of Shirifes 3.

The debtoz not found, or a clerke.

The Gaoler must answer the body or the debt.

The confessee shall haue his costes and expences.

Suerties.

Of what lands the confessee shall haue execution.

Statutes and Recognisances.

As execution
of an Infants
lands.

The penaltie
of the statute
read before
the debtoz.

Statutes in
Chester.

Clerke of the
statute shall
haue sufficient,
and dwell vpon
his office.

Execution a-
warded vpon
a statute once
shewed in court.

Statute Staple.

Execution of
the body and
goods of the
confinor.

of the land of those which be debtors by feoffment, shall aswell returne againe to the feoffees, as the other lands to the feoffors. And if the debtoz or his sureties die, the Merchant cannot take the body of his heire, but shall haue his lands in forme aforesaid, if he be of full age, or when he shall be of full age, vntill he haue leuied so much as his debt amounteth vnto. Before the recognisances shall be inrolled, the penaltie of this statute shall be openly read before the debtoz, so that he shall not after excuse himselfe by ignorance of the paine whereunto he bound himselfe, & the D. shall haue in euery towne where the seale is to mainteine the costs of the Clerke i. s. of euery pound. Acton Burnell. 11. Ed. 1. de Mercatoribus. 13. Ed. 1. And all recognisances of statute merchant, & Acton Burnel, which shall be knowledged, inrolled, and sealed with the seale appointed to the Citie of Chester, before the Maior of the same citie, in like maner as the Maiors and other Officers in the said citie haue accustomed to take, inroul, & seale, shall be good and effectuell in the law, 2. Ed. 6. 31.

2 Every Clerke which shall be deputed to receiue recognisances in Cities & Boroughs, according to the statute merchant, shall abide in proper person to do his office, and shall haue lands sufficient in the same countie whereof he may answere all persons if he offend, and if there be any other in such an office, he shall be remoued, and an other more meete be set in his place. 14. Ed. 3. 11.

3 Where a statute merchant is certified into the Chauncerie, & there vpon a writ awarded to the Shirife, & returned into the Common place, and the statute thereon shewed, howsoeuer the procelle after this shewing be discontinued, at what time the partie sueth to recontinue the procelle, and to haue execution of the statute merchant, the Iustices of the Bench in which the statute was once shewed, may vpon the same record, award and make full execution of the said statute, without hauing any other sight thereof after. An. 5. H. 4. 12.

4 To the intent that contracts made within the Staple shall be the better holden, & payments readily made, euery Maior of the Staple hath authoritie to take recognisances of debts that a man will knowlege before him in the presence of the Constables of the Staple, or one of them. And in euery Staple there shall be a seale, remaining in the custodie of the said Maior vnder the seales of the same Constables. And all obligations which shall be made vpon such recognisances shall be sealed with the same seale, paying for euery obligation of one C. li. and vnder, of euery pound a halfe peny, & of euery obligation aboue one hundred pound, of euery pound a farthing. And the Maior of the Staple by vertue of the same writing obligatorie so sealed, may take and hold in prison the bodies of the debtors after the terme incurred, if they be found within the Staple, vntill they haue agreed with the creditour for his debt and damages, and also arrest the goods of the said debtors found within the said Staple, and deliuer the said goods

goods to the said creditours, according to the very value, or sell them at the best he may, and deliuer so much thereof to the creditors, as the summe due. And if the debtors cannot be found within the Staple, nor their goods to the value of the debt, that shall be certified into the Chauncerie vnder the said seale, vpon which certificat a writ shall be directed to take the bodies of the said debtors, without letting them to baile, and to seise their lands, tenements, goods & cattels. And the writs shall be returned into the Chauncerie, with a certificat of the value of the said lands, tenements, goods and cattels, and thereupon due execution shall be made from day to day, in maner as is contained in the statute merchant, so that he to whom the debt is due, shall haue an estate of freehold in the lands & tenements, which shall be deliuered vnto him by vertue of this proccesse, and shall recouer by Assise of Nouel disseisin if he be put out. But the debtor shall haue no aduantage of the quarter of a yeere which is contained in the statute merchant. But if the creditor will haue no letters vnder the said seale, but will stand to the faith of the debtor, if after the terme incurred, he demaund his debt, the debtor shall be credited vpon his faith. 27. Ed. 3. 9. And if any Maior of the Staple, do receiue any recognisance of debt against the forme aforesaid, he shall pay to the Queene one halfe of the summe knowledged before him. 15. R. 2. 9. S. 14.

The statute
certified into
the Chauncerie

5 The chiefe Iustice of the Kings bench, and the chiefe Iustice of the Common place, and euery of them by himselfe, and in their absence out of the terme, the Maior of the Staple at Westm, and the Recorder of the Citie of London for the time being, jointly together by his or their discretion, haue authoritie to take Recognisances or knowledges of euery of the Queenes subiects for the paiment of debts, according to such forme as hereafter ensueth.

Recognisance
in nature of the
statute Staple.

6 Nouerint vniuersi per presentes me A.B. & C.D. Armig, teneri & firmiter obligari Ioh. at Stile in centum libr' sterling', soluendis eidem Iohanni aut suo certo Attornato hoc scriptum ostendent' hered' vel executoribus suis in tal' fest. &c. prox. futur' post datum presentium. Et si defecero vel defecerim in solutione debiti pdicti, volo & concedo: vel sic, volumus & concedimus, qd' tunc currat super me, hered' & executores meos: vel, super nos & quemlibet nostrum, hered' & executores nostros, pœna in Statut' Stapule de debiti' pro merchandisis in eadem emptis recuperand' ordinat' & prouisa. Dat' tali die, Añ regni &c. 23. H. 8. 6.

The forme of
the Recogni-
sance.

7 And euery Obligation that shall be made as is aforesaid, and knowledged before any of the said chiefe Iustices, or the said Maior and Recorder, according to this Act, shall be sealed with the seale of the partie or parties that shall recognise or knowledge the same, & also with the Queenes seale ordeined for the same, and with the seale of one such of the said Iustices, or with the seales of the said Maior and Recorder, and with his or their name or names subscribed that so shall take the same recognisance

Sealing of a
recognisance.

Statutes and Recognisances.

or knowledge. And euery of the said two Iustices, and the Maior and Recorder shall haue the custodie of one such seale, by the Queene appointed, with one like print, scripture, and fashion, which shall seuerally remaine with them, to the intent aboue rehearsed, 23. H. 8. 6.

Clerke of the Statutes.

8 An honest and discreete person assigned by the Queene, or his sufficient deputie or deputies, shall make & write all such obligations as shall be knowledge and recognized by authoritie of this Act, and shall cause the same being knowledged and recognised in forme as is abouesaid, to be inrolled in two seuerall rolles indented, whereof one shall remaine with such of the said Iustices, or with the said Maior and Recorder, that so shall take the same recognisance, and the other with the writer thereof, appointed for the same. And the said person appointed for making, writing, and inrolling of such obligations, or his sufficient deputie or deputies, shall be dwelling or abiding in the citie of London, vpon paine to forfait for euery time that he and his deputie shall be absent by the space of two dayes, ten pounds, and the said person so appointed, or his sufficient deputie or deputies at the request of the creditors, their executors or administrators, shall certifie such Obligations as shall be taken and recognised by authoritie of this act, into the Chauncerie, vnder the seale of the person so appointed &c. 23. H. 8. 6.

Certificat into the Chauncerie of the recognisance.

Execution by on a recognisance.

9 Euery person and persons to whom any such Obligation shall be made, knowledged, & inrolled as is aforesaid, their executors and administrators, and the executors & administrators of euery of them, for default of payment of the debts contained in such Obligations, shall haue in euery point, degree, & condition, against the said recognisor and recognisors, and euery of them, their heires, executors, and administrators, and the heires, executors, & administrators of euery of them, like proces, execution, commodities, and aduantage in euery behalfe, as hath bin vsed and accustomed before this time to be had, done, or made, of & vpon any obligation of the Statute of the Staple, & vnder such maner & forme as is for the same Statute of the Staple provided, paying for such proces & execution to be had, such like fees as is accustomed for proces and execution to be had vpon obligations of the same Statute of the Staple, and not aboue, 23. H. 8. 6.

To sume it all together.

Audita querela.

10 Euery such person and persons that shall be bounden, or otherwise grieved by vertue of any obligation made by authoritie of this act, shall haue their like remedy by Audita querela, & all other remedies in the law that they might haue had, in case they had bin bounden by obligation of the Statute of the Staple. 23. H. 8. 6.

The D. shall haue an halfe-peny in the pound vpon execution sued.

11 Euery person that shall haue proces for execution to be had, by reason of any Obligation to be made and knowledged according to this act, shall pay to the Queene &c. at the sealing of the said proces a halfe-peny for euery pound, that shall be contained in the obligation, whereof execution shall be required, and not aboue, 23. H. 8. 6.

12 Every such person and persons that shall have execution of any lands, tenements, or hereditaments, by reason of any such Obligation, made and knowledged as is aforesaid, and their executors, administrators or assigns, and the executors, administrators & assigns of every of them, (if they or any of them be put out, or disseised) shall have like remedy in every condition, as persons having execution, in, and upon any Statute of the Staple, after execution of them had, may, or might have, by vertue of the said writing obligatorie of the Statute of the Staple, and execution of the same. 23. H. 8. 6.

The remede
for tenant by
recognisance
being disseised.

13 Every of the said Justices, and the said Mayor and Recorder before whom any such Obligations shall be recognised, shall take for every knowledge of every one such recognisance, iii. s. iii. d. and not above. And the Clerke that shall write, make, and inroll the same, iii. s. iii. d. And for the certificat of every one such Obligation, xx. d. And if any of the said Justices, Mayor, Recorder, or Clerkes, take of any of the Queenes subjects above the summe or summes to them limited by this Statute: then the said Justices, Mayor, Recorder, or Clerk, that shall take contrary to the forme aforesaid, shall forfeit for every time so offending to the D. & J. xl. li. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 23. H. 8. 6.

The Justices
and Clerkes
see upon every
recognisance.

14 No Mayor, or Constable of the Staple, for the payment of any summe of money, shall take any knowledge or recognisance of the said Statute of the Staple of any of the D. subjects, upon paine to forfeit to the D. and J. for every time so offending, xl. li. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. But this Act is not prejudiciall to any Mayor and Constables of the Staple, for any band or writing of the Statute of the Staple to be taken or received betweene Merchants being free of the same Staple, for merchandizes of the same Staple, betweene them lawfully bought and sold. 23. H. 8. 6.

In what cases
recognisances
by Statute Sta-
ple may be ta-
ken.

15 The whole tenour and contents of all Statutes merchants, and Statutes of the Staple, hereafter to be knowledged, shall within six monethes next after such knowledging, be entered in the office of the Clerke of Recognisances, taken according to the Statute made 23. H. 8. by the shewing forth of the said Statute merchant, or Statute Staple so knowledged, unto the said Clerke, which said Clerke of the recognisance shall enter, or cause to be entered the same Statutes in a booke for that purpose to be provided, and safely kept by him, taking viii. d. and no more for every such entrie. 27. El. 4.

The contents
of Statutes shall
be entered in the
Clerkes office.

16 If the partie, to whom any such Statute merchant, or of the Staple shall be knowledged, his executors or administrators, doe, or shall not within iii. monethes next after the knowledging of any such Statute, bring & deliver, or cause to be brought and delivered unto the said Clerk, or his Deputy or Deputies for the time being, all and every such Statute & Statutes as shall be so knowledged to him, or to his use, wherby, & to the intent that

The Statute
not entered void
against the
purchaser of
the lands liable
to the same.

Statutes and Recognisances.

the said clerke, his deputie or deputies may take & enter a true copy thereof: Then every such statute merchant and of the staple not so entred, shall be void, frustrate, and of none effect, against all and every such person and persons, bodies politike & corporat, their heires, successors, executors, administrators, & assignes onely, as shall after the knowledging of the said statutes or any of them, purchase for money or other good consideration, the lands, tenements, or hereditaments, which were liable to the same statute merchant, or of the staple, or any part or parcel thereof, or any rent, lease or profit, of, or out of the same. 27. El. 4.

The Clerke
not entering or
endorsing a sta-
tute brought
unto him.

17 If the said clerke, or his deputie or deputies for the time being, shall not upon such shewing and delivrie vnto him or them of any statute merchant, or of the staple, enter, or cause to be entred the same in his said book, within the said time of six monethes, and also endorse upon every such statute so by him entred, the day and yeere of his said entrie, with his or their owne name: then every such clerke failing, or defectiue in that behalfe, shall forfayt and lose for every statute merchant & of the staple so brought vnto him or them, and not entred and endorsed, or caused to be entred and endorsed as aforesaid, the summe of xx. pound, The one moitie whereof to be to the Q. Maiestie, her heires or successors, and the other moitie to him or them that will sue for the same in any of the Queenes courts of Record by A. of debt, B. P. or J. wherein no E. P. or M. &c. 27. El. 4.

Clerke of the
recognisances
sees for search.

18 No Clerke of the said recognisances shall or may take, for, or in respect of any search to be made, for, or concerning any statute merchant, or of the staple, so to be entred as aforesaid, aboue ii. s. for one peres search, and so after the rate of ii. s. for every peere, and not aboue, upon paine to forfayt and lose to the partie or parties grieved thereby, twenty times as much as he shall take contrarie to the true meaning of this Act, to be recovered in any of the Queenes Maiesties courts of Record by A. of debt, B. P. or J. wherein no P. or M. of law shall be allowed. 27. El. 4. This Act to continue for the space of x. yeeres, and from thenceforth, vnto the end of the next Parliament then next following.

1 In what maner execution shall be made of landes in Wales, vpon a statute or recognisance. S. Wales 67.

2 That no statute or recognisance shall be avoided by a fayned recoverie. S. Recoveries 9.

3 That he which sueth to defeat execution vpon a statute, shall find suertie to the Queene and the partie. S. Corpus cum causa 2.

4 That Obligations taken in the Court of Wardes, shall be of the same strength as a statute staple. S. Wardes 27.

5 That all Obligations made to the Q. shall be of the same strength, as a statute staple. S. Accompt to the Queene 1.

6 That obligations taken of Ecclesiastical persons for their first fruits, be of the same strength as a statute staple. S. Ecclesiastical persons &c. 25.

7 A remedie

7 A remedie for the conisee where lands taken by him in execution be recovered. S.Execution. 3.

8 That the lands of certaine accomptants to the Queene shalbe liable to the paiment of their arrerages, and be put in execution, as if they were bound in statute staple. S.Accompt &c. to the Queene. 29.

Steele.

If anie person do forge or make any gads of Iron, called Bilbow Iron, like to the fashion and maner of gaddes of Steele, or do utter or put to sale any such gads of anie Iron, he shal forfait for euery gadde so forged, uttered, or put to sale, iiii. s. to the D. and J. to be recovered by A. B. P. J. &c. wherein no W. &c. E. P. 2. Ed. 6. 27.

Suggestion.

If anie man do make a Suggestion to the Queenes Maiestie, he shalbe sent with the same suggestion to the L. Chancelloz, Treasorer, and the Queenes great Counsel, & there shal find suertie to pursue his suggestion, and then proces shalbe awarded against him of whom the suggestion is made without being taken or imprisoned. 37. Ed. 3. 18. And if hee which maketh the complaint cannot prouue his suggestion, he shalbe sent to prison, vntil he hath agreed with the party for his damages and slander, and after shall make fine and ransome to the D. 38. Ed. 3. 9. And the Chauncelloz of England hath authoritie to award dammages to him which is troubled in the Chauncerie, or in forme aforesaid wrongfully. 17. R. 2. 6. S. Accusation 1.

1 Where he that sueth for a prohibition shall make a suggestion and proue the same. S. Prohibition 10.

Surgeons.

No person within the citie of London, nor within seven miles of the same, shall take vpon him to exercise and occupie as a Surgeon, (except he be first examined, approued, & admitted by the Bishop of London, or by the deane of Paules, calling to him foure persons expert in Surgerie) vpon paine of forfeiture for euery moneth, that any person doth occupie as a Surgeon not admitted nor examined in forme aforesaid, v. l. to the D. and J. to be recovered by A. of debt, wherein no W. &c. E. P. &c. But this act shall not be preiudiciall to the vniuersities of Oxford and Cambridge, or any liberties granted to them. 3. H. 8. 11.

Surgeons in London admitted by the Bishop.

2 No person out of the said citie and precinct of seven miles of the same (except he hath been approued in the same) shall take vpon him to occupie as a Surgeon in any diocesse within this realm, but if he be first examined and approued by the bishop of the same diocesse, or he being out of the diocesse by his Vicar generall, either of them calling to them such expert persons in the said faculty, as they shall thinke conuenient, & giuing their letters testimoniall vnder their seale to him y they shall so approue, vpon paine of forfeiture of v. l. for euery moneth that any doth occupie not admitted.

Surgeons shall be appointed by the Bishop of the diocesse.

Helps of out-
ward sores.

The phisicians
of London may
practise Sur-
gerie.

Surgeons and
Barboz made
one companie.

Surgeons ex-
empt frō bea-
ring armor,
watches, and
enquestts.

admitted nor examined in forme aforesaid &c. But this act shal not be pre-
judiciall to any of the foresaid Uniuersities &c. 3. H. 8. 11. Notwithstan-
ding the foresaid statute, it is lawfull to euery person being the Queenes
subiect, hauing knowledge & experience of the nature of herbes, rootes, and
waters, or of the operation of the same, by speculation or practise, within
any part of the Q. dominions, to practise, vse, and minister in, and to, anie
oueward sore, vncome wound, appostemations, outward swelling or dis-
ease, any herbe or herbes, ointments, bathes, pultes, and implasters, ac-
cording to their cunning, experience, or knowledge, in any of the diseases,
sores and maladies beforesaid, and all ocher like to the same, or drinks for
the stone or strangurie, or agues, without trouble or penaltie &c. 34. H. 8.
8. And forasmuch as the science of Physick doth contain the knowledge of
Surgerie, as a special member and part of the same: any of the company
of Physicians within the citie of London being able, chosen, and admitted
by the President and fellowship of the Physicians in London, may from
time to time, aswell within the citie of London, as elsewhere within this
realme, practise and exercise the said science of Physicke, in all & euery his
members and parts. 32. H. 8. 40.

3 By the statute of 32. H. 8. 42. it was ordained that the two seuerall
companies of Barboz and Surgeons in London, and euery person of
them being a freeman of either of the said companies after the custome of
the said citie, and their successors should be frō thenceforth vnitied & made
one entire and whole bodie corporat, & one comminaltie perpetual, which
should be called by the name of masters and gouernors of the mysterie &
cominaltie of Barboz and Surgeons of London for euer, and by none
other name, & by the same name to implead & be impleaded befoze all Ju-
stices, in all courts, in all actions & suits, and to purchase to them & their
successors, al land &c. rents, & other possessions, and also to haue a common
seale, and by the same name to enioy all such lands &c. which the cōpany of
Barboz then had, & to enioy all benefitts, grants, franchises, liberties &c.
at any time granted to the said company of Barboz. And that they and
their successors, shal haue the searce, ouersight, punishment and correcci-
on, aswell of freemen as of fozeiners, for such offences as any of the shal
commit against the good order of Surgerie, as befoze time amongst the
company of Barboz hath been vled. And that all persons of the said com-
pany incorporat, and their successors, that shal be lawfully admitted and
approued to occupie Surgerie, (after the fourme of the Statute of 3. H.
8. 11.) shal be exempt from bearing of Armour, or to be put in anie wat-
ches or enquestts: But euery such Surgeon, and Barboz shal pay such
scot and lot, and other charges, as they and their predecessors haue ac-
customed to pay within the said citie. And that the said Masters and go-
uernors, and their successors yeerely for euer, after their discretions, at
their free libertie, shal and may haue & take without contradiction foure
persons

persons condemned, adiudged and put to death by the order of the lawes ^{Four} Anota-
 of this realme, for Anotamies, without any further suit or labour to be ^{mies.}
 made to the Queene &c. for the same, and to make incision of the same
 dead bodie, or otherwise to order the same at their pleasure for the better
 knowledge and experience in Surgerie. And that at times accustomed,
 there shalbe chosen by the same company four Masters and Gouvernors ^{Four gouver-}
 of the same Corporation or Companie, of the which four, two of them ^{nours of the}
 shalbe expert in Surgery, and the other two in Barbarie. Which four ^{Corporation.}
 Masters and euery of them shall haue full authority from time to time du-
 ring their said Office, to haue the ouersight, search, and correction of all
 such defaults and inconueniences as shalbe found amongst the said com-
 panie vsing Barbarie or Surgerie, aswell of freemen, as forreins and
 strangers within the Citie of London, and circuit aforesaid, after their
 discretions.

4 No person within the Citie of London, suburbs of the same, and ^{No Barboz in}
 one mile compasse of the said citie, vsing any Barbary or shauing within ^{London shall}
 the said citie, suburbs, or one mile circuit of the same citie, nor none other ^{use Surgerie.}
 for him, or to his vse, shall occupy any Surgery, letting of blood, or any o-
 ther thing belonging to surgery (drawing of teeth only excepted) vpon paine
 to forf. for euery moneth offending to the contrary v. R. to the Q. and J. to
 be recouered by A. J. &c. wherein no W. &c. E. P. &c. 32. H. 8. 42.

5 Whosoever vseth the mystery or craft of Surgerie within the cir- ^{No Surgeon}
 cuit aforesaid, as long as he shal vse the same, shall not occupy the craft of ^{shall vse the}
 Barbary or shauing, neither by himselfe, nor by any other for him to his ^{craft of Bar-}
 vse, vpon the paine aforesaid. 32. H. 8. 42.

6 All persons vsing Surgery, aswell freemen as forreins, and aliens ^{Euery Surge-}
 within the said Citie of London, the suburbs thereof, and one mile com- ^{on shall haue a}
 passe of the said citie, shall haue an open signe on the street side, where they ^{signe at his}
 shall dwell, that all the Queenes liege people there passing by, may know ^{doore.}
 at all times whither to resort for their remedies in time of necessitie, vpon
 paine aforesaid. 32. H. 8. 42.

7 No person shall keepe any shop of Barbary or shauing within the ^{None shall be}
 citie of London, (except he be a freeman of the same corporation & com- ^{barboz in Lon-}
 pany) vpon the paine aforesaid. But it is lawfull to any of the Queenes ^{don but a free}
 subjects not being a Barboz or Surgeon, to retaine & keepe in his house, ^{man.}
 as his seruant, any Barboz or Surgeon, which shall and may vse those fa- ^{Each man may}
 culties of Barbarie and Surgery or either of them in his masters house, ^{keepe a Sur-}
 or elsewhere by his masters licence or commandement, 32. H. 8. 42. ^{geon or Bar-}
^{boz for his}
^{seruant,}

1 That no stranger, being a common Surgeon, shalbe interpreted a
 handicraftsman. S. Aliens 13.

Suite of Court.

NOne that is enfeofed by deede, shall be distrained to doe suite in the
 court of his Lord, without he be specially bound thereunto by the
 forme

foyme of his deede (only those except, whose ancestors or they themselves haue vſed to do ſuch ſuit &c.) And they that are enfeoffed by deede to doe a certaine ſernice, as for ſeruice of ſo many ſhillings by peere to be acquitted of all ſeruice, ſhal not be bound to do ſuch ſuites, or other like, contrary to the foyme of their feoffement. Mar. 5 2. H. 3. 9.

One ſuit for ſeueral coparceners or tenants.

2 If any inheritance whereof but one ſuit is due, diſcend vnto many heires as to parceners, who ſo hath Enitiam partem, ſhall doe the one ſuite for himſelfe, and his fellowes. And other coheirs ſhalbe contributory for their porcion, for doing ſuch ſuit. And if there be diuers feoffees of an inheritance, whereof but one ſuit is due, the Lord of the fee ſhall haue but that one ſuit, and ſhal not exact of the ſaid inheritance but one ſuit, as hath bin vſed to be done befoze. And if thoſe feoffees haue no warrant or meane which ought to acquit them, then all the feoffees, according to their porcion ſhalbe contributory for doing the ſuite for them. Mar. 5 2. H. 3. 9.

Swannes.

If any perſon or other to his vſe, ſhal haue or poſſeed any mark or game of Swannes of his own (except he haue landes and tenements of eſtate of freehold, to the perely value of five markes, aboue all perely charges) the any other perſon being the Queene's ſubiect, hauing lands to the perely value of five markes, may ſeiſe the ſaid Swannes as forfeited to y^e vſe of the Queene and himſelfe. 2 2. Ed. 4. 6.

1 That it is not lawfull to take Swannes egges out of the neſtes. See Haukes. 3.

Taile.

In gifts in tail the donors will ſhalbe obſerued

If lands be giuen to a man & to his wife, and the heires of their two bodies begotten, with condition that if the ſaid huſband & wife do die without heire of their two bodies begotten, the land ſo giuen ſhall reuert to the donour or his heire. Or if any man giue land in franke mariage, which gift hath a condition annexed (though it be not expreſſed in the deed of gift) viz. that if the huſband & wife do die without heire of their bodies begotten, the tenement ſo giuen ſhal reuert to the donour or his heire. Or if a man giue land to one, and to the heires of his bodie lawfully begotten, in the forſaid caſes, the wil of the donour ſhall be obſerued, according to the forme expreſſed in his deede of gift, ſo that they to whom the tenement is giuen vpon condition, haue not power to alien the tenement ſo giuen, whereby the ſame tenement ſhal not remain vnto their iſſue to whom it was giuen after their deceaſe, or reuert to the donour or his heire, if the donee haue no iſſue, or if he haue iſſue, & that iſſue die without iſſue. Nor the ſecond huſband of ſuch a woman ſhall haue any thing in ſuch land conditionally giuen after the death of his wife, by the curteſie of England. Nor the iſſue of the ſecond huſband & wife ſhal haue any inheritance. But immediatly after the death of the huſband & the wife to whom the tenement was ſo giuen, the ſame ſhal reuert vnto their iſſue, or to the donour or his heire. West, 2, 1 3. Ed. 1. 1.

1 That

1 That a fained recouerie had against tenant in taile of lands whereof the reuerſion or remainder is in the Queene, ſhall not conclude the heir.

S. Recoueries. 2.

2 Where a fine leuied by tenant in taile, ſhall conclude the heire in taile, and where not. S. Fines. 14. 17.

3 That lands entailed ſhall be charged to the pairment of the debts which the Anceſtor ought to the Q. S. Accompt to the Queene. 6.

4 Where lands entailed ſhalbe forf. by attainder of high treason, and where not. S. Forfaiture 2.

5 What leaſe made by tenant in taile ſhal bind his heirs. S. Leaſes. 1. 2. S. Recoueries 4.

6 That preſentation to a Church by an vſurper during the eſtate of tenant in taile, ſhal not preiudice him in the reuerſion. S. Aduowſon. 1.

Tame beasts.

Whoſoeuer doth maliciously, unlawfully, and willingly cut, or Cutting out of
 cauſe to be cut out, the tongue of any tame beaſt, of any other per- beaſts tongues.
 ſons, the ſaid beaſt then being in life, ſhall loſe vnto the partie grieued
 treble damages, to be recovered by A. of Treſpas, and ſhall forſaite to the
 Q. r. l. for a fine. 37. H. 8. 6.

Tenth.

AN. 27. H. 8. 27. It is enacted, that vpon all and ſingular letters Pa- A tenth refer-
 tents to be made vnder the great Seale of Englaſe, of any manors, ued vpon abbeys
 lands, tenements, and hereditaments, belonging to any of the houſes lands.
 comprized in the Act made 27. Hen. 8. (providid for the diſſolution of Ho-
 naſteries and other Religious houſes, hauing not lands, rents, or other
 hereditaments, aboue the cleere yeerely value of C. li.) to any perſon or
 perſons, or bodie politique, for any eſtate of inheritance, there ſhould be
 alwaies reſerued to the King, his heires & ſucceſſors, a tenure by Knights
 ſervice in Capite, and a yeerely rent of the tenth part of the yeerely value
 of the lands to be comprized in euery ſuch letters patents, according to
 ſuch rate as the ſame lands &c. giuen ſhall be expreſſed to be of a yeerely
 value in the ſame letters patents: any thing or claule containd in war-
 rant to the contrarie thereof notwithstanding, and that none auerrement
 ſhall be made or admitted, by, or for the king, or any other perſon, that the
 manors, lands, and tenements, be of moze yeerely value then in the ſame
 letters patents ſhall be declared.

2 An. 33. H. 8. 39. It is enacted, that if any perſon, or bodie politike, A remedie for
 to whom the King hath by his letters patents vnder his great Seale or the Tenthes
 Seale of the Court of Augmentations, giuen, or ſhall giue with reſerua- detayned.
 tion of rent, any lands, tenements, rectories, or other hereditaments,
 which were or ſhall be in the order and ſuruey of any of the Courts of his
 Chequer, Duchy of Lancaſter, Augmentations, Suruicioz generall,
 Maſter of the wardes and Liueries, or Court of the firſt fruites and
 Tenthes,

Tenthes.

Tenthes, to be had to them and to their heires or successors, or for any other estate of inheritance, or for terme of life or lines, yeelding and reseruing to the King, his heires or successors, one yeerly rent at one certaine day or feast, in the same letters patents expressed, and to be paid in the same Courts, that if the same person, bodie politike, his heires, successors, or assignes, or any of them, do not truly pay vnto the Treasurers, or to the generall or particular Receiuer of the same seuerall Courts assigned for the same, to the vse of the King, at the day or feast limited by the same letters patents, or within thre monethes next after all such summes of money reserued by the same letters patents, or make sufficient tender thereof to the said Treasurer, or generall or particular Receiuer: that then the same person, bodie politike, his heires, successors, or assignes, for default of payment thereof, to forfeit to the king, his heires and successors, as much money as the fourth part of the same rent reserued for one yeere doth amount vnto, in the name of a pain, aboue the same rent reserued. And if he, his heires or assignes do not pay or tender the rent within halfe a yeere after the day expressed in the letters patents, and also the said money forfeit, in the name of a paine, then he shal forfeit to the king so much money as the moitie of the rent reserued for one yeere doth amount vnto, besides the rent reserued, & so to forfeit for euery halfe yeere after, so much money as the whole rent reserued for one whole yeere doth amount vnto, for the which rent, arrerages, and paine, the said Treasurer and Receiuor may distraine, and the head officer of the Court vpon certificat, may award forth processe against the offender for the rents and forfeitures. And if any person pay the said Tenth, and bring an acquittance, the Treasurer or Receiuor after the receit thereof, shall signe the acquittance without taking any thing therefoze, vpon paine of forfeiture of xl. shillings, and if the partie bring no acquittance, but that the Treasurer or Receiuor do make and signe one, he shall take but iiii. d. vpon paine of forfeiture xl.s. 33.H.8.39.

A confirmati-
on of Patents,
though the
Tenth be not
reserued.

3 All Letters patents made by king Hen.8. sithence iiii. Feb. An.27. of his Raigne, and by king Ed.6. sithence 28. Januarii, Anno 1. of his Raigne, of bargaines, sales, giftes, exchanges, or otherwise, and sealed with the great Seale of England, or with y^e great Seale of the Duchy of Lancaster, shall be good, perfect, & available to all intents, & purposes, according to the said letters Patents, the nonage of the said king Ed.6. as Duke of Lancaster, the lack, or losse of y^e particulars, or bill signed of the patents, or any act, statute, or lawes, for, or concerning any tenures, reseruati-
on of rents, or tenthes, to the contrary notwithstanding. 7.Ed.6.3.

1 Which Ecclesiasticall persons shall pay Tenthes, and vpon what paines. S.Ecclesiasticall. 28. 29.

2 That Tenthes shalbe paid out of the lands of Colledges, Chauntries, Freechappels, &c. S.Monasteries 27.

Tenure.

ALl honours, castles, manors, lands, tenements, and other hereditaments holden of the Queene &c. by Knights service, Socage, or otherwise, as of any of her Dukedomes, Earledomes, Baronies, Castles, manors, lands, tenements, fees, or Seigniories, which be come to the Queene or her progenitors, or hereafter shall come to her, her heires or successors, by meanes of any attainder of Treason, misprision of Treason, attainder of prouision and primumire had and done by act of parliament, by verdict, confession, conuiction, outlawrie, or of any dissolution, surrender, or giuing by of any Religious or Ecclesiasticall houses or places, or of any lands, tenements, or hereditaments, to any of the said houses or places belonging, shall not be adiudged to any intent to be holden in Capite, or as tenure in Capite. 1. Ed. 6. 4. Magna Charta. 9. H. 3. 31. 1. Ed. 3. 13.

No tenure in capite by reason of lands coming to the Q. by attainder or other title.

2 This Act shall not be prejudiciall to the Queene &c. concerning any wardship, liuerie, primer seison, fine for alienation, or for any other profite comming to her from any person holding any lands, tenements, or other hereditaments of her grace in chiefe, as of her person, or of any other her auncient possessions, and being not come to her by any such attainder, conuiction, outlawrie, dissolution, giuing by, or surrender, as be abouesaid. 1. Ed. 6. 4.

Tenure of the Queene in chiefe as of her person.

3 This Act shall not giue any libertie or profite to any tenant or owner in fee simple, of any lands, tenements, or other hereditaments, which haue heretofore sued any speciall or generall liuery, or Ouster le maine, out of the hands of the Queene, or of any her progenitors of any lands &c. by what tenure or service they were or be holden, or that haue, or shal confesse by any matter of record, any tenure in chiefe of the Queene, but they, their heires and assignes shall haue and hold the same lands &c. in like maner, as they did befoze the making of this act &c. 1. Ed. 6. 4.

Conclusion of tenure by matter of Record.

4 Where any Inquisition or Office shall be found by these words or like, Quod de quo, vel de quibus tenementa prædicta tenentur, Iuratores prædicti ignorant, or els found holden of the Queene Per quæ seruitia ignorant, or such like, in such case, such tenure so vncertainly found, de quo vel de quibus prædicta tenementa tenentur ignorant, shall not be taken for any immediat tenure of the Queene. Nor such tenure so found of the Queene, Per quæ seruitia ignorant, shall not be taken any tenure in Capite, but in such cases, a Melius inquirendum shall be awarded, as hath been accustomed in old time. 2. Ed. 6. 8.

Tenures vncertainly found by office.

5 It is lawfull for euery freeman to sell his lands, or tenements, or part thereof at his owne will, so that he which is enfeoffed shall hold the same land or tenement of the chiefe Lord of the same fee, by the same seruices and customes whereby his feoffor held befoze. And if he sell part of his land to any man, the feoffee shall hold immediatly of the chiefe Lord, and shall be forthwith charged with so much of the seruices, as

The feoffee shall hold of the chiefe Lord, and not of the feoffor.

doth

both or ought to belong to the chiefe Lord for that parcell, according to the quantitie of the land sold, and so in this case the same part of the seruice shall remaine to the Lord, to be taken by the hands of the feoffee, for the which he shall be attendant to the Lord, according to the quantitie of the land sold for the parcell of the seruice due. But this statute extendeth onely to lands sold, which be holden in fee simple, West. 3. 13. Ed. 1. Quia emptores terrarum.

A tenure in capite reserved vpon certaine Abbey lands.

6 An. 27. H. 8. 27. It is enacted, that vpon all and singular letters Patents to be made vnder the great Seale of England, of any manors, lands, tenements, & hereditaments, (belonging to any of the houses comprised in the Act, prouided 27. Hen. 8. for the dissolution of Monasteries, and other Religious houses, hauing not lands, rents, or other hereditaments, aboue the cleere yeerely value of CC. pound, and committed to the suruey of the Court of Augmentations) to any person or persons, or bodies politike, for any estate of inheritance, there shall be alwaies reserved to the King, his heires and successors, a tenure by Knights seruice in Capite, any thing or cause contained in warrant to the contrary thereof notwithstanding. After by the statute made 35. H. 8. 14. and 37. H. 8. 20. It was prouided, that the said king H. 8. might at his pleasure during a certaine time reserve vpon his letters patents granted of certaine lands in the said Statutes mentioned, (not exceeding the yeerely value of xl. s. which were belonging to any of the forenamed dissolved Monasteries) certaine other tenures; and not in Capite.

The patents of king H. 8. and Ed. 6. confirmed, notwithstanding the commission of tenures.

7 But by the statute of 7. Ed. 6. 3. it was ordained, that all letters Patents made by king H. 8. since iiii. Feb. Anno 27. of his Raigne, and by King Edward 6. since 28. Januarii, Anno 1. of his Raigne, of bargaynes, sales, gifts, exchanges, or otherwise, sealed with the great Seale of England, or with the great Seale of the Duchy of Lancaster, shall be good, perfect, and auailable to all intents & purposes, according to the said letters patents, the nonage of the said king Ed. 6. as Duke of Lancaster, the lack, or losse of the particulars, or bill signed of the patentees, or any act, statute, or lawes, for, or concerning any tenures, reservations of rents, or tenthes, to the contrarie notwithstanding. 7. Ed. 6. 3.

1 What tenure of the Queene doth draw to her wardship; and what not. S. Wardes 17. 18.

2 That he which holdeth his land by new Escheat of the Queene, holdeth not in Capite. S. Prærogative 8.

3 That eche Coparcener of lands holden of the Queene in Capite, shall haue part of the same lands, and hold by the same tenure. S. Partition 1. Prærogative 6.

The preparation of the earth for the making of Tyle.

Tyles.

Every person which shall vse the occupation of making of thack Tyle, Crouse Tyle, crest Tyle, corner Tyle, or gutter Tyle, shall make it good,

good, seasonable, able, sufficient, and well whited and annealed, and the ground whereof any such Tyle shalbe made, shalbe digged and cast vp, before the first day of Nouember next before that they shalbe made, and the same earth shalbe stirred and turned before the first day of February then next following, & the same earth before it be put to making of Tile, shalbe truly wrought and tried from stones, and also the vaines called Hayline, or Harle, and Chalke (lying commonly in the ground neere to the land convenient to make Tile) after the digging of the said ground, whereof any such Tile shalbe made, shall be well and truly leuered and cast from the earth whereof any such Tile shalbe made. 17. Ed. 4. 4.

2 Every such plaine Tile shall containe in length ten ynches and a halfe, and in breadth vi. ynches and a quarter, and in thickeesse halfe an ynch and halfe a quarter at the least, and every such rouse Tile, or crest Tile, shal containe in length xiii. ynches, & the thickeesse of halfe an ynch & halfe a quarter at the least, with convenient deepnes according, to every gutter Tile and couer Tile shall containe in length x. ynches and a halfe, with convenient thickeesse, breadth, and depth according. And if any person set to sale any such Tile made against the foresaid ordinance, then the seller shall forfeit to the buier the double value of the same Tile, and besides shall make fine to the Queene at her pleasure. And every person that feeleth himselfe grieved and will sue, shall haue an action of debt against the offenders, and the plaintife (if it be found with him) shall recouer his costs &c. wherein no U. C. P. &c. 17. Ed. 4. 4.

The length, breadth, and thickeesse of Tile.

3 The Iustices of peace within any Countie of this Realme, and every of them, haue power to enquire, heare, and determine the defaultes and offences done against this act, and if it be found or may appeare to the said Iustices, or any of them, by examination, or otherwise by their discretions, that any person hath offended contrarie to this Act: then the same Iustices shall assesse vpon the offenders no lesse fine, then for every thousand of plaine Tile set to sale contrary to this Act v. s. And for every hundred of rouse Tile vi. s. viii. d. And for every hundred of corner Tile, or gutter Tile ii. s. And if lesse be put to sale or sold, lesse fines shall be paid therefor, according to the rate thereof, by the discretion of the said Iustices, or any of them. 17. Ed. 4. 4.

Iustices of P. shall heare and determine the offences of Tile making.

4 And the same Iustices haue power to call before them, or any of them, such, and so many persons, as shall haue best experience or knowledge in the occupation of making of Tile, to search and examine the digging, casting, turning, parting, making, whitening, and annealing aforesaid. And they which so shalbe assigned Searchers, shall haue power to make such search. And no person shall put such Tile to sale, before it be searched by the said Searchers, vpon paine of forfeiture of the same. And if the same Searchers, or any of them do find, that any person exercising the occupation of Tyle making, do offend contrary to this ordinance, then they shall

Searchers of Tile.

Tythes, Oblations, &c.

present such defaults befoze the said Iustices at their next Sessions, and euery such presentment shalbe as effectual in the law, as the presentment of xii. men. 17. Ed. 4. 4.

The Searchers fee and Duetie.

5 And such Searchers shall haue of euery Tile maker for euery thousand of plaine Tile searched, a peny, of euery hundred rouse Tile, ob. & of euery hundred corner Tyle and gutter Tyle, a farthing. And the same Searchers shall do their effectuall diligence in this behalfe, according to this ordinance, vpon pain of forfaiture to the Queene for euery default x. s. 17. Ed. 4. 4. S. Iustice of peace 97.

Tythes, Oblations, &c.

A decree for the payment of Tythes in London and the liberties.

Such order and direction as was made & decreed by the Archbishop of Canterbury, and certaine Lords and Knights to whom as well the Parsons, Vicars, and Curates of the Citie and liberties of London, as the Citizens and inhabitants of the same did comprimit, and put themselves, concerning the paiment of Tythes, Oblations, and other dueties, within the said Citie, and liberties of the same, and is inrolled in the Chauncery of record, shalbe as an act of Parliament, and shall bind aswell all Citizens, and inhabitants of the said City and liberties, as the Parsons, Vicars, and Curates, and their successors for euer, according to the purport and intent of the said order and decree, which decree beareth date xxiiii. die Feb. An. Do. 1544. and is as followeth. 37. H. 8. 12.

The decree.

2 The Citizens and inhabitants of the Citie of London and liberties of the same, shal perely without fraud for euer, pay their Tythes to the Parsons, Vicars, and Curates of the said Citie, and their successors, after the rate following, viz. of euery x. s. rent by the yere of all houses, shops, warehouses, sellers, and stables, and euery of them within the said city and liberties of the same xvi. d. ob. And of euery xx. s. rent by the yere ii. s. ix. d. and so aboue the rent of xx. s. by yere, ascending from x. s. to xx. s. according to the rate aforesaid.

A house rented at x. s. shal pay xvi. d. ob. for Tythe.

Leases reseruing no rent, or lesse then hath bin accustomed.

3 Where any lease hath bin or shall be made of any dwelling house or houses, shops, warehouses, sellers, or stables, by fraud, reseruing lesse rent then hath bin accustomed, or without any rent reseruing by reason of any fine payed befoze hand, or by any other fraud, then the farmor thereof shal pay for his Tythes of the same after the rate aforesaid, according to the quantitie of such rent, as the same houses, shops, warehouses, sellers, or stables, or any of them were last letten for, befoze the making of such Lease.

Owners inhabiting their owne inheritance.

4 Euery owner or inheritour of any dwelling house, warehouse, seller, staple, & shop, within the said citie or liberties, inhabiting or occupying the same himselfe, shal pay after such rate of Tythe, as is abouesaid, after the quantitie of such perely rent, as the same was last letten for.

Taking lease of all things by lease, & letting part thereof.

5 If any person shall take any mease or mansion place by lease, and the taker thereof, his executozs or assignes shall inhabite in part thereof, and shall

Shall let out the residue, then the first taker, his executors or assignes shall pay his Tythes after the rate aforesaid, according to his quantity therein. And his assignes shall pay their Tythes after the rate abovesaid, according to the quantity of their rent by yere. And if any person shall take diuers mansion houses, shops, warehouses, sellers, or stables in one lease, and shall let one or more of them, and keepe one or more in his owne hands, and inhabit in the same, then he shall pay his Tythes after the rate abovesaid, according to the quantity of the yerely rent of such house or houses retained in his hands. And his assigne or assignes of the residue shall pay his or their Tythes after the rate abovesaid, according to the quantity of their yerely rents.

6 If any farmor or his assignes of any mansion house or houses, warehouses, shops, sellers, or stables, shall let ouer all the same contained in his lease to one or diuers persons: Then the inhabitants, lessees, or occupiers of them, and of euery of them, shall pay their Tythes after the rate of such rents, as the inhabitants, lessees or occupiers, and their assignes shall be charged withall, without fraud or couin.

The tenant of severall houses assigneth all the same.

7 If any dwelling house (within viii. yeres before this decree) was, or hereafter shall be converted into a warehouse, storhouse, or such like, or if a warehouse, or storhouse, or such like within the foresaid time was, or shall be converted into a dwelling house: then the occupiers thereof shall pay tythes for the same, after the rate aboue declared of mansion house rents.

A dwelling house made a warehouse, or storhouse, &c. e. conuerio.

8 Where any person shall demise any Dyehouse, or Brewhouse, with implements conuenient for dying or brewing, reseruing a rent vpon the same, as well in respect of such implements, as of such dyehouse or brewhouse: Then the tenant shall pay his Tythes after such rate as is abovesaid, the third peny abated. And euery principal house with Key or wharfe, hauing any Crane or Gibit belonging to the same, shall pay after like rate of their rents as is aforesaid, the third peny abated. And other wharfes belonging to houses hauing no Crane or Gibit, shall pay for their Tythes, as shall be paid for mansion houses, in forme abovesaid.

Dyehouse or Brewhouse with stock,

house with key or wharfe.

9 Where any mansion house with a shop or staple, warehouse, wharfe with crane, Timber yard, Teinter yard, or Garden belonging to the same, or as parcel of the same, is, or shall be occupied together, if the same be after seuered: Then the farmor or farmors, occupier or occupiers thereof, shall pay such Tythes, as is abovesaid, for such shops, stable, warehouses, wharfs with crane, Timber yard, Teinter yard, or Garden so seuered, after the rate of their severall rents thereupon reserued.

A house with other things occupied together, and after seuered.

10 The said Citizens and inhabitants shall pay their Tythes quarterly, viz. at the feast of Easter, the Natiuitie of Saint John Baptist, the feast of Saint Michael the Archangell, and the Natiuitie of our Lord by euen portions.

Citizens shall pay their tythes quarterly.

11 Euery householder paying r. s. rent or aboue, shall for him or her selfe, 4. Offering daies.

Tythes, &c.

selfe, be discharged of their iiii. offering daies, but his wife, childzen, seruāt, or others of their family taking their rights of the Church at Easter, shal pay ii. pence for their iiii. Offering daies perely.

A house of x. s.
rent deuided
into smal par-
cels.

12 If any house which hath bin or shall be letten for x. s. rent by the yere or moze, be, or within viii. yeres before this decree hath bin, or shall be deuided and lessed into smal parcels, yeclding lesse yerely rent then x. s. by yere: Then the owner if he dwell in any part of such house) or else the pynicipal lesse, if the owner do not dwell in some part of the same, shall pay for his Tythes after such rate of rent, as the same house was accustomed to be letten for, before such deuision. And the vnder farmor & farmors to be discharged of all tithes for such smal parcels rented at lesse yerely rent then x. s. paying ii. d. a peece yerely for their iiii. offering daies.

Gardens.

13 If or such Gardens as appertaine not to any mansion house, and which any person shall hold in his handes for pleasure, or to his owne vse, the person so holding the same shal pay no Tythes for the same. But if any person which shal hold any such garden, containing halfe an acre or moze, doeth, or shall make any yerely profite thereof by way of sale, then he shall pay Tythes for the same after such part of his rent, as is herein first aboue specified: But if any such gardens now (viz. at the time of the decree made) being of the quantity of halfe an acre or moze, be hereafter by fraud deu- ded into any lesse quantitie, then to pay Tythe according to the rate a- bouesaid.

The houses of
noble men and
Companies.

14 This decree shall not extend to the houses of great men, or Noble men, or Noble women, kept in their owne hands, and not letten for any rent, which in time past hath paid no Tythes, so long as they shall so con- tinue vnetten. Nor to any Hals of Crafts, or Companies, so long as they be kept vnetten, so that the same Hals in time past, haue not vsed to pay any Tythes.

Sheds, stables
sellers, timber
yards, teinter
yards.

15 This decree shal not charge any sheds, stables, sellers, timber yards, ne teinter yards, which were neuer parcell of any dwelling house, ne be- longing to any dwelling house, ne haue accustomed to pay any Tythes, but the Citizens and inhabitants thereof shall be quite of payment of Tythes, as hath bin vsed.

Lesse by custom
then xvi. d. ob.
in the x. s. rent.

16 Where lesse summe then after xvi. d. ob. in the x. s. rent, or then ii. s. ix. d. in the xx. s. rent hath bin accustomed to be paid for Tythes, then in such places the said Citizens and inhabitants shal pay but only after such rates as hath bin accustomed.

A meane to end
contention that
may arise vpon
demanding of
Tythes.

17 If any variance shall arise in the said City for non payment of any Tythes, or if any variance or doubt arise vpon the true knowledge or de- uision of any rent, or Tythes within the liberties of the said Citie, or of any extent or assessment thereof, or if any doubt arise vpon any other thing contained in this decree: Then vpon complaint made by the partie grie- ued, to the Maior of London for the time being, the said Maior by the aduise

aduiſe of Counſel, ſhal cal the ſaid parties before him, and make a final end in the ſame, with coſtes to be awarded by the diſcretion of the ſaid Maior and his aſſiſtants, according to the true intent of this decree. And if the ſaid Maior make not an end thereof within two Moneths after complaint to him made, or if any of the ſaid parties find themſelues grieved: Then the Lord Chaunceloz vpon complaint to him made within three Monethes then next following, ſhall make an end in the ſame, with ſuch coſtes to be awarded, as ſhall bee thought conuenient, according to the intent of this decree.

18 If any perſon take any tenement for a leſſe rent then it was accuſtomed to be letten for, by reaſon of any great decay, burning, or ſuch like occasions or miſfortunes, then he ſhall pay Tythes onely after the rate of the rent reſerued in his leaſe, and no otherwiſe, as long as the ſame leaſe ſhall endure.

Tenements let for a ſmall rent by reaſon of decay.

19 Euery perſon denyng to pay any of his Tythes, Oblations, or other duties, contrary to the ſaid decree, ſhall by the commaundement of the Maior of London, and in his default or negligence, by the Lord Chaunceloz, be committed to priſon, there to remaine till he hath agreed with the Curate for his ſaid Tythes, Oblations, and other duties, as is aforeſayd.

Refuſors to pay Tythes according to the decree.

20 All perſons of the Queenes dominions, ſhall fully and truly ſet out, or pay all and ſingular Tythes and offerings, according to the lawfull cuſtomes of the Pariſhes and places where ſuch Tythes or duties ſhall grow, ariſe, or be due. And in caſe any perſon of his peruerſe will, ſhall withhold any of the ſaid Tythes or offerings, or part thereof, then the partie being Eccleſiaſticall or lay perſon, hauing cauſe to demaunde or haue the ſame, being thereby wronged or grieved, ſhall and may conuent the offendor before the Ordinarie, his Commiſſarie, or other competent miniſter, or lawfull Iudge of the place where ſuch wrong ſhall be done, according to the Eccleſiaſticall Lawes. And in euery ſuch caſe the ſame Ordinary &c. hauing the parties, or their lawfull procurators before him, ſhal and may proceed to the examination, hearing, and determining of euery ſuch cauſe ordinarily or ſummarily, according to the courſe and proces of the Eccleſiaſtical lawes, and thereupon may giue ſentence accordingly.

Tythes ſhal be paid according to the cuſtome of the pariſh where &c.

The offendor conuenced before the Ordinary.

21 And in caſe that any of the parties for any cauſe concerning that ſuit, do appeale from the ſentence of the ſaid Ordinarie or Iudge: Then the ſame Iudge forthwith ſhal adiudge to the other partie the reaſonable coſtes of his ſuit therein before expended, and ſhall compell the appellat to pay the ſame coſtes by compulſorie proces of the ſayd Eccleſiaſticall lawes, taking ſuertie of the other partie to reſtoze the ſame coſtes to the appellat, if after the principal cauſe of that ſuit of appeal ſhalbe adiudged againſt the ſame partie, to whom the ſaid coſts ſhalbe yeelded. And ſo euery

The appellat ſhall pay coſts of ſuit to the other party.

Sueritie to re-
pay costes to
the appellant,
if the cause be
adiudged for
him.

The offender
bound by two
Justices to ob-
bey the Ordina-
ries sentence.

Competent Judge ecclesiasticall shal adiudge costes to the other party, vpon euery appeale made in any suit or cause of subtraction or detention of any Tithes or offerings, or in any other suit made, for or concerning the due tie of such Tithes or offerings. 3 2. H. 8. 7.

22 If any person after such sentence definitiue giuen against him, obstinately refuse to pay his Tithes or due ties, or such summes of money so adiudged, wherein he is condemned for the same: Then two Justices of the peace of the same shire (whereof one to be of the Quorum) haue authority vpon Information, Certificat, or Complaint to them made in writing by the Ecclesiasticall Judge that gaue the same sentence, to cause the same person so refusing, to be attached & committed to the next gaole, and there to remain without baile or mainprise, vntill he shall haue found sufficient suerties, to be bound by Recognisance or otherwise before the same Justices to the vse of the Queene to performe the said sentence. 3 2. H. 8. 7. And in like sort may any one of the Queens Counsel, or two Justices of peace, vpon an information and request made to them by the Ordinary, commit any offender to ward, for any contempt, contumacy, disobedience, or any other misdemeanour of his, in any suit for subtraction of Tithes, Offerings, or other due ties of the Church, vntill he hath found suerties &c. vt supra. 27. H. 8. 20. S. Justice of peace 104.

Recovery and
conueyance in
a temporal
court of tithes
and other spiri-
tual liuing.

23 In all cases where any person or persons which shall haue estate of inheritance, freehold, terme, right, or interest, of, in, or to any Parsonage, Vicarage, portion, pension, tithes, oblations, or other Ecclesiasticall profite, made temporal, or admitted to abide in temporal hands, and lay vles by the Law or statutes of this Realme, shalbe disseised, deforced, wronged, or otherwise kept or put from their lawfull inheritance, estate, seisin, possession, right, or interest, of, in, or to the same, or of, in, or to any parcel thereof, by any other person or persons pretending to haue interest, or title, in, or to the same: Then in all & euery such case and cases, the person or persons so disseised, deforced, &c. their heires, wiues, and such other, to whom such iniury shalbe done, shall and may haue their remedy in the Queenes, or other temporal Courts, as the case shal require, for the recovery, getting, or obtaining of such inheritance, estate, freehold, seisin, possession, terme, right or interest, by writs original of *Præcipe quod reddat*, *Assise of Nouel disseisin*, *Mortdaucester*, *Quod ei deforceat*, writs of *Dower*, or other writs originals, as the case shal require, deuised and granted in the Chancery, of euery such Parsonage, Vicarage, portion, pension, or other profite called Ecclesiasticall or Spiritual so to be demanded according to the nature and cause of the suit thereof, in like maner and forme, as they shoulde, might or ought to haue had, of, or for lands, tenements, or other hereditaments, in such maner to be demanded: And writs of *Covenant*, and other writs for fines to be leuied, and all other assurances to be had, made, or conuied of any such Parsonage, Vicarage, portion, pension, or other profite called Ec-

ecclesiasticall or Spiritual, as is aforesaid, shall be deuised and granted in the said Chancery, according as hath bin vsed for fines to be leuied, and assurance to be had, made, or conueied of landes, tenements, or other hereditaments. And all Judgements to be giuen vpon any of the said writs originall so to be deuised or granted, of, or for any the premisses, and all fines to be leuied in any of the said Courts thereof, shall be of like force and effect in the Law to all intents, as Judgements giuen and fines leuied of lands &c. in the same Courts vpon writs originall therefore duly pursued and prosecuted. 32. H. 8. 7.

24 But this act shall not giue any remedy or cause of action or suit in the Courts temporall, against any person which shall refuse to set out his Tithes, or which shall withhold or refuse to pay his Tithes or offerings, or any part thereof: But the party hauing cause to demaund the same, shall take his remedy for them in euery such case in the Spirituall Courts, according to the ordinance aforesaid. 32. H. 8. 7.

Tithes and offerings shall be only recovered in the Spirituall Court.

25 Euery of the Queenes subiects shall truly and iustly without fraud or guile, deuide, set out, yeeld, and pay all maner of their prediall Tithes in their proper kind as they rise and happen, in such maner and forme, as hath bin of right yeelded and paid within xl. yeres, next before the making of this act (being 4. H. 6. An. Dom. 1548.) or of right or custome ought to haue bin paid. And no person shall take or carie away any such or like tithes which haue bin yeelded or paid within the said xl. yeres, or of right ought to haue bin paid in the place or places tithable of the same, before he hath iustly deuided or set forth for the Tithe thereof the tenth part of the same, or otherwise agreed for the same tithes with the Parson, Vicar, or other owner, proprietarie, or farmor of the same Tithes, vnder the paine of forfeiture of treble value of the Tithes so taken or carried away. 2. Ed. 6. 13.

Setting forth or paying of prediall tithes.

26 At all times whensoever the said prediall Tithes shall be due at the tithing time of the same, it shall be lawfull to euery party to whom any of them ought to be paid, or his deputy, or seruant, to see their said Tithes to be truly set forth, and seuered from the ninth parts, and the same quietly to take and carrie away. 2. Ed. 6. 13.

The Parson may carry away his tithe.

27 If any person carrie away his corne or hay, or his other prediall tithes, before tithe thereof be set forth, or willingly withdraw his Tithes of the same, or of such other things whereof prediall Tithes ought to be paid: Or do stop or let the Parson, Vicar, Proprietary, owner, or other their deputies or farmors, to view, take and carrie away their Tithes, as is abouesaid, by reason whereof the said tithe or tenth is lost, unpaired, or hurt: Then vpon due prooffe thereof made before the Spiritual Judge, or any other Judge, to whom heretofore he might haue made complaint, the party so carrying away, withdrawing, stopping, or letting, shall pay the double value of the tenth, or Tithe so taken, lost, withdrawn, or carried away,

Carrying the corne or hay before tithe be set forth, or letting the Parson to take his Tithes.

away, ouer & besides the costes, charges, & expences of the suit in the same, the same to be recovered before the Ecclesiasticall Iudge, according to the Queenes Ecclesiasticall lawes. 2. Ed. 6. 13.

The Tithe of cattel feeding in any wast ground, wherof the parish is not knowen.

28 All & euery person which hath or shall haue any beastes or other cattel tithable, going, depasturing or feeding in any wast or common ground, whereof the parish is not certainly knowen, shall pay his tithes for the increase of the said cattel so going in the said wast or common, to the Parson, Vicar, proprietary, porcionarie, owner, or other their farmors or deputies of the parish, hamlet, towne, or other place where the owner of the said cattel inhabiteth or dwelleth. 2. Ed. 6. 13.

The Tithe of barren heath or wast ground

29 All such barren heath or wast ground (other then such as be discharged for the payment of tithes by act of parliament) which before this time hath lain barren, and paid no tithes by reason of the same barrennes, and now be, or hereafter shalbe emproued, and conuerted into arrable ground or medow, shall after the end of vii. yerres next after such improuement fully ended and determined, pay tithe for the cozne & hay growing vpon the same. But if any such barren, wast or heath ground hath before this time bin charged with the payment of any tithes, & the same be after emproued, and conuerted into arrable ground or medow: then the owner or owners thereof shal during vii. yerres next following from & after the same emprouement, pay such kind of Tithe as was paid for the same before the said emprouement. 2. Ed. 6. 13.

Marchants & handycraftsmen shal pay the tenth part of their gaines.

30 Euery person exercising marchandises, bargaining, and selling, clothing, handycraft, or other art, or facultie, being such kind of persons, and in such places as heretofore within these xl. yerres haue accustomedly vsed to pay such parsonall Tythes, or of right ought to pay (other then such as be common day labourers) shal verely, at, or before the feast of Easter, pay for his parsonall Tithes the tenth part of his clere gaines (his charges and expences according to his estate, condition, or degree, to be therein deduced.) But in all such places where handycraftsmen haue vsed to pay their Tithes within these xl. yerres, the same custome of payment of Tithes shal be obserued and continue. 2. Ed. 6. 13.

The Ordinary may examine him which refuseth to pay his parsonall Tythes.

31 If any person refuse to pay his parsonall Tithes in forme aforesaid: Then it shalbe lawful to the Ordinary of the same Dioces where the party that so ought to pay the said Tithes is dwelling, to call the same party before him, and by his discretion to examine him by all lawful & reasonable meanes (other then by the parties owne corporall othe) concerning the true payment of the said parsonall Tithes. 2. Ed. 6. 13.

Payment of offerings.

32 All and euery person & persons, which by the lawes or customes of this Realme ought to make or pay their Offerings, shall verely truly content and pay his or their offerings to the Parson, Vicar, Proprietarie, or other deputies or farmors of the parish or parishes where he or they shal dwell or abide, at such foure offering daies, as at any time heretofore within

within the space of foure yerres last past (being 4. Nouemb. An. Dom. 1548.) hath bin accustomed for the payment of the same. And in default thereof, to pay for the said Offerings at Easter then next following. 2. Ed. 6. 13.

33 This act shall not extend to any parish which stands vpon and to- Tythe of fish.
ward the Sea coastes, the commodities and occupying whereof consisteth chiefly in fishing, and haue by reason thereof vled to satisfie their Tithes by fish. But all and euery such Parish and Parishes shal pay their Tithes according to the laudable customes, as they haue heretofore of auncient time within this xl. yerres vled and accustomed, & shal pay their offerings as is aforesaid. 2. Ed. 6. 13.

34 If any person do subtract or withdrau any Tithes, Obuentions, Suites for
profits, or other dueties befoze mentioned, or any part thereof contrarie to withholding
of Tithes shall
be in the Eccle-
siastical Court,
the true meaning of this Act, or any other Act heretofore made, then the party so subtracting or withdrauing the same, may or shall be conuented and sued in the Queenes Ecclesiasticall Court, by the partie from whom the same shalbe subtracted or withdrawen, to the intēt the Queens Judge Ecclesiastical, shall and may then and there heare and determine the same, according to the Queenes Ecclesiastical lawes. And it shall not be lawfull vnto the Parson, Vicar, proprietarie, owner, or other their farmors or deputies, contrarie to this act, to conuent or sue such withholder of Tithes, obuentions, or other dueties aforesaid, befoze any other Judge then Ecclesiasticall. 2. Ed. 6. 13.

35 Af any Archbishop, Bishop, Chancelor, or other Judge Ecclesiasti- The offendor
cal giue any sentence in any of the foresaid causes of Tithes, obuentions, Judges sen-
profices, emoluments, and other dueties aforesaid, (and no appeal ne pro- tence shalbe ex-
hibition hanging) if the partie condemned do not obey the said sentence: communicate.
Then it shalbe lawfull to euery such Judge Ecclesiastical &c. to excommu-
nicate the said partie, so as afoze condemned, and disobeying, in the which
sentence of Excommunication, if the said party excommunicate wilfully
stand and endure still excommunicate by the space of xl. daies next after,
vpon denunciation and publication thereof in the Parish Church of the
place or parish where the party so excommunicate is dwelling or most a-
byding, the said Judge Ecclesiastical may then at his pleasure signifie to
the Queene in her Court of Chancerie, the state and condition of the said
party so excommunicate, & thereupon require proces De excommunicato
capiendo, to be awarded against euery such person that hath bin so excom-
municate. 2. Ed. 6. 13. Excommunicato
Capiendo.

36 This Act shall not giue any Minister or Judge Ecclesiastical any Of what
iurisdiction to hold plea of any matter, cause, or thing being contrarie or things the
repugnant to the effect or meaning of the statute of Westminster 2. 5. Judge ecclesi-
the statutes of Articuli Cleri, Circumspect' agatis, Silua cædua, the trea- astical shall nos
tise de Regia prohibitione, ne against the statute of 1. Ed. 3. 10. or any of hold plea,
them,

them, ne yet to hold plea in any matter whereof the Queenes Courte of right ought to haue iurisdiction. 2. Ed. 6. 13. See 38. 39. S. Prohibition 1. 2. 3. 4. 5. 6.

London.
Canterbury.

37 The foresaid statute of 27. H. 8. and 32. H. 8. shall not extende to any inhabitant of the Citie of London and Suburbes of the same, for the payment of their Tithes and offerings: Neither the statut of 2. Ed. 6. shall extend to the inhabitants of the City of London and Canterbury, and the suburbes of the same: Nor to any other Towne or place that hath vsed to pay their Tithes by their houses, otherwise then they ought or should haue done before &c. 27. H. 8. 20. 32. H. 8. 7. 2. Ed. 6. 13.

Windmill.

38 If any person do erect a new Mill in his ground, he shall pay Tithe for the same, Articuli Cleri. 9. Ed. 2. 5. S. Prohibition 6.

Silua cadua.

39 If a man doe sel great good of the age of xx. yeres, or aboue, no tithe shall be paid therfore. 45. Ed. 3. 3. S. Prohibition 5.

Certain Ab-
bey lands dis-
charged of
Tithes.

40 Every person and persons, their heires & assignes, hauing any Monasteries, Priories, Runries, Colledges &c. or other Ecclesiastical houses or places &c. or any manors, mealuages, parsonages, appropiat, &c. or other hereditaments which belonged vnto the said Monasteries, Priories, &c. which were discharged of and for the payment of tithes being in the hands of the Abbots, Priors, &c. or other Ecclesiasticall gouernors, shall haue and enioy euery of the said Monasteries, Priories, lands, tenements, and other hereditaments, according to their estates & titles, discharged of payment of tithes, in as ample maner as any of the said Abbots, Priors, &c. or other Ecclesiastical gouernors held or enioyed the same at the dates of their dissolution, or comming to the hands of king H. 8. of the same. 31. H. 8. 13.

Tithes of ma-
riage goods in
Wales.

41 No Tithes of Marriage goods shall be required of any person within Wales, or the Marches thereof. Neither shall any person be sued or otherwise compelled to pay any maner of Tithes for any lands, tenements, or hereditaments, which by the lawes & statutes of this Realme, or by any priuilege, or prescription, are not chargeable with the payment of any such tithes, or that be discharged by any composition real. 2. Ed. 6. 13.

Discharge of
tithes by pre-
scription or
composition.

1 That where money for Tithes is demaunded in a spiritual Court, the Queenes prohibition doth lie. S. Prohibition 1.

2 Whereupon suit for Tithes in an Ecclesiasticall Court a prohibition is grauntable, and where a Consultation, S. Prohibition 10.

Tolle.

Excessive Toll
taken in cities
or townes.

If any do take any outragious Tolle, contrary to the custome of the Realme in a Market towne which is the Queenes towne, & let to fee farme, the Queene shall seise the franchise of the Market into her owne hand. And if it be an other Towne, & that be done by the Lord of the Towne, the D. shall do in like sort, and if it be done by a Bailife or any mean officer without the commandement of his Lord, he shall restore to the plaintife for his out-

outragious taking, so much as he hath receiued of him, if he hath carried away the Toll, & shalbe imprisoned xl. daies, West. 1. 3. Ed. 1. 30.

2 Toll at Mill shall be taken according to the custome of the Realme, and the strength of the course of the water, as of the xx. coyne, or the xxiii. coyne. And the measure whereby Toll shalbe taken, shall agree with the Queenes measure, and it shalbe taken by the strikel, and not by heape, and if the farmors do find to the Millers things necessary for them, they shall take but their due Tolle, and if they do otherwise they shalbe punished. 3. Ed. 1. Stat de Vitalarijs.

Toll at Mill.

1 When, where, and of whom Toll for horses shalbe taken in a Faire or Market. S. Faires & c. 5.

2 In what cases it is not lawfull to take Toll of Fish brought into this Realme. S. Ships 2.

3 That Aliens made Denizens, shall pay such Tolles as they did before. S. Aliens 3.

Townes.

If any person or persons, or bodies politicke, being owners or possessors of any desolate or void grounds, that at any time within xlv. yeres next before the making of this Act (being the 16. of Januarie, An. Do. 1541.) haue bin buylded for houses or habitation, or for any house or houses of habitation, now or hereafter being in decay and not fully fallen downe, within the liberties & precincts of any of the boroughs, townes, and places within the wals and liberties of the Citie of Canterburie, the Citie of Rochester, the boroughs & townes of Stamford, & great Grimsbie in the Countie of Lincolne, the towne of Cambridge in the Countie of Cambridge, the borough or towne of Darbie in the Countie of Darbie, the borough or towne of Eilford in the county of Surrey, the Towne of Dunwich in the Countie of Suffolke, the boroughes or townes of Cinque ports with their members, the Towne of Lewes in the Countie of Sussex, and the Towne of Buckingham in the County of Buckingham, do not sufficiently reedifie, buyld, and repaire, or cause to be reedified, builded, and repaired the sayd desolate and void groundes, and decayed houses conuenient for habitation and dwelling, within two yeres next after Proclamation made, in, or vpon the same void ground or groundes, decayed house or houses, by the Maiors, Aldermen and Burgessees, or other head Officers, within the precinct of their owne authoritties: Then it shall be lawfull for the chiefe Lord or Lords immediate, of whom such desolate and void groundes, decayed and ruinous houses be holden, after the said two yeres be expired, to enter into the same, and to haue the same groundes or houses with the curtelage, backside, and garden adjoining to the same (if they be of the inheritance of the owner or owners of the sayd decayed house or ground, & exceed not one acre of ground) to them & to their heires or successors, or to their owne proper vse for euer, so that the sayd

A provision for the repaire of houses in certain great Townes.

The chiefe Lord enter.

Lord

Lord or Lords immediate entring by the authoritie of this act, doe sufficiently reedifie, build, or repaire the same void ground, or decayed houses, within two yerres and a halfe next immediatly following the determination of the foresaid first two yerres. 33. H. 8. 36.

The entrie of
them which
haue rent
charge.

2 And in case such Lord or Lords as may enter by this act, do not enter, and well & sufficiently reedifie, build, or repaire the same void ground or decayed houses within the said two yerres and a halfe to them limited by this act, or if such Lord or Lords immediate as may enter, do sufficiently reedifie, build, and repaire the same void grounds or decayed houses within the said two yerres and a halfe, to them limited, and after they, their heires or successors suffer the same houses or void grounds to fall in ruine and decay, and not build or reedifie the same sufficiently within two yerres and a halfe, after such ruine or decay: Then it shall be lawfull to all person or persons, or bodies politike, as shal then haue any rent charge iointly or seuerally going out of the said void ground or grounds, or decayed house or houses in any of the said Cities, boroughs, townes, or places, immediatly after the said two yerres and a halfe expired, to enter into the same, and to haue to such of them, their heires and successors to their owne proper vse as shal so build the said void grounds or decayed houses by authoritie of this act, the same void grounds or houses with the curtelage, backside, and garden adioyning to the same, if they be of the inheritance of the owner or owners of the said decayed houses or grounds, and exceed not in quantitie one acre of ground, discharged of all rents going out of the same grounds or houses, aswel against the said Lord and Lords immediate, as all other person or persons or bodies politike hauing any rent or rents charges, or rent seck out of the same, (other then the fee farme of the said City, Borough, towne, or place, or some parcel thereof) so that the said person or persons, or bodies politike, hauing the said rent charge, entring by the authoritie of this Act, do sufficiently reedifie, build, and repaire the same desolate & void ground or grounds, or decayed house or houses, within one yere and three quarters next and immediatly following the determination of the said two yerres and a halfe to the said Lord or Lords immediatly appointed by this act. 33. H. 8. 36.

3 And in case such person or persons, or bodies politike, hauing any of the said rents charges, as may enter by this Act, doe not enter, and well and sufficiently reedifie, build, or repaire the same void ground or decayed houses within one yere and three quarters to them appointed by vertue of this Act, or if they or any of them hauing such rent charge, and that may enter by this Act, do sufficiently build and repaire the same void ground or grounds, or decayed house or houses, within the said one yere and three quarters to them limited, and after, they, their heires or successors suffer the same void ground or grounds, house or houses to fall in ruine and decay, and do not build or reedifie the same sufficiently within one yere and three

three quarters after such ruine or decay : Then it shall be lawfull to the Maiors, Aldermen, and Burgesles, and other head Officers in the said citie, boroughes, townes and places, by what name or names soeuer they be incorporated, and their successors, and euery of them, within the limits of their authorities, immediately after the said yere and three quarters expired, into euery such desolate void grounds, decayed or ruinous houses, to enter, and haue, hold, and enioy to them and their successors for euer, to their owne vles, the same grounds or houses, and euery of them with the curtelages, gardens, and backslides to the same, if they be of the inheritance of the owner or owners of the said decayed house or ground, and exceed not in quantity one acre of ground, clerely discharged of all rents going out of the same grounds or houses, aswel against the said Lord or Lords immediately, as al other person or persons, or bodies politick, hauing such rent charge, or rent seck, as befoze is said, (other then the fee farme of the said citie, borough, towne, or place, or parcel therof.) So that the same Maiors, Aldermen and Burgesles, or other head officers, as is aforesaid, or their successors for the time being, doe reedifie, build, or repaire, or cause to be reedified, builded, or repaired, the same ground or grounds, house or houses, within three yerres next and immediately following the determination of the said yere and three quarters, limited or appointed to such person or persons, or bodies politike, that haue or shall haue any rent as is aforesaid. An. 33. H. 8. 36.

The entrie of the head officers of corporate Townes.

4 And in case the said Maiors, Aldermen, and Burgesles, or other head officers, as is aforesaid, or their successors, do not enter, and reedifie, build, and repaire the said void ground or groundes, decayed house or houses, in forme aforesaid, within the said terme of three yerres after their said entry, or if they sufficiently reedifie, build and repaire the same void ground or grounds, or decayed house or houses, within the said 3. yerres to the limited by this act, & after they or their successors suffer the same house or houses, void ground or grounds, to fall in ruine and decay, & doe not build and reedifie the same sufficiently within three yerres after such ruine or decay : Then it shall be lawfull to the first owner or owners, possessor or possessors of such void ground or grounds, decayed house or houses, their heirs or successors, immediately after the said three yerres (to the said Maiors, Aldermen, and Burgesles, or other head officers, as is afoze limited) expired, into the same house, ground or grounds, curtelages, gardens, and backslides, to enter, & the same to reteine to them, their heires and successors, as in their first estate. 33. H. 8. 36.

The first owners entrie.

5 But this act shall not be prejudiciall to any person or persons being at the time of the said Proclamation made, vnder the age of xxi. yeeres, or being feme couert, or in prison, or beyond the Sea in the Queenes wars, or in her other lawfull affaires, or to any person or persons not being then of whole and perfect memory, during the time that such person or persons shall

Infants, feme couert, out of the realme, in prison, lunaticke persons right reserved.

shall be within age, married, in prison, or of no perfect memorye, or beyond the Sea, so that the same person or persons, their heires or successors, after that he or they come unto their full age of xxi. yerres, or be unmarried, out of prison, or come againe within this Realme, or be of whole and perfect memorye, within thre yerres then next ensuing do reedifie the same desolate or void grounds, or repaire the said decayed houses. An. 33. H. 8. 36.

6 An. 35. H. 8. 4. a like act was made in euery respect, with like prouision of sauing for the repairing of the towne of Shrewsburie in the countie of Salop, the Citie of Chester in the county of Chester, the Towne of Ludlow in the countie of Salop, Hauerford West in the countie of Hauerford in South Wales, the towne of Pembroke, Tembie in the county of Pembroke, the towne of Karmordein in the countie of Karmerdin, the towne of Mountgomery in the county of Mountgomery, Cardiffe, Swauesse, Cowbridge, new Radnor & Prestend in the County of Radnor, the towne of Brecknocke in the County of Brecknocke, & the towne of Portsmouth in the county of Monmouth, the towne of Maldon in the county of Essex, the townes Abargauenny, Ule, Carlion, and Newport in the county of Monmouth, the townes of Lancaster, Preston, Lirapole, and Wigan in the county Palantine of Lancaster.

7 An. 32. H. 8. 8. an Act was made for the repaire of houses of habitation within the walles and liberties of the Cities, Boroughs, and townes of Yorke, Lincolne, Canterburie, Couentrie, Bath Chichester, Salisburie, Winchester, Wiltow, Scarburgh, Berford, Colchester, Rochester, Portesmouth, Poole, Lin, Feuerham, Worcester, Stafford, Buckingham, Womfret, Grantham, Excester, Ipswich, Southhampton, great Parmouth, Oxford, great Wickham, Gilsford, Estretford, Kingston vpon Hull, Newcastle vpon Tyne, Beuerley, Bedford, Leicester, and Barwike. And Anno 32. H. 8. 19. a like Act is made concerning the repairing of the Borough and townes of Shafton, Sherborne, Britport, Dorchester, and Weymouth in the countie of Dorset, and the Boroughs and Townes of Wilmouth, Wilmpton, Barstable, Tauesstocke, and Dartmouth, within the Countie of Deuonshire, and the Boroughs and townes of Launceston, Liscard, Lestuthiel, Bodman, Turine, and Welfton, within the Countie of Cornewall, and the Boroughs and Townes of Bridgewater, Taunton, Somerton, and Alchester, within the countie of Somerset, and the Borough of Maldon in the county of Essex, and also the Borough and shire towne of Warwike in the countie of Warwike. By which Acts it was prouided that if any persons &c. or body politicke, being owners or possessioners of any void groundes that haue bin at any time within xxv. yerres immediatly past before 12. Aprilis. Anno 31. H. 8. & An. Do. 1541. builded for houses of habitations, now, or hereafter being in decay, and not fully fallen downe, within the Liberties or

precincts of any of the said cities, boroughs or townes, do not sufficiently reedifie, build, and repaire, or cause to be reedified &c. the said void grounds or decayed houses convenient for habitation &c. within three yerres next after proclamation thereof to be made in or upon the same groundes &c. by the Maiors &c. or other officers of euery of the said cities, townes &c. Then it shall be lawfull to the Lords of whom such grounds, houses &c. be holden, after the said three yerres expired, to enter into the same, & to haue the same &c. to them and to their heires or successours, to their owne vse for euer, so that the said Lords so entering doe sufficiently reedifie the same houses, grounds, &c. within two yerres next following the determination of the said three yerres. And in case such Lord do not enter & sufficiently reedifie the same groundes &c. within the said two yerres: Then it shall be lawfull to all such persons or bodies politike &c. as shall then haue any rent charge going seuerally out of any of the said grounds or houses &c. immediatly after the said two yerres expired to enter into the same, & to haue the same to them, their heires &c. for euer, so that the said persons or bodies politike &c. do sufficiently reedifie the same grounds within one yere next following the determination of the said two yerres, and in case such persons or bodies politike &c. hauing the said rent charges &c. do not enter, sufficiently reedifie &c. the same grounds &c. within the said one yere &c. Then it shall be lawfull to the Maiors, Sherifes, bailifs or comminalltie, or other head officers of the said cities, boroughs &c. or their successors &c. immediatly after the said yere expired, into euery such grounds, houses, &c. to enter, and the same to enioy &c. to them and their successors for euer, clerely discharged of all rent going out of the same groundes or houses, aswell against the said Lord, as all persons, or bodies politike hauing any such rent, so that the said Maiors &c. or their successors &c. doe reedifie &c. the same grounds, houses, &c. within three yerres immediatly following the determination of the said yeere &c. And in case the said Maiors &c. or their successors doe not enter & reedifie &c. within the said terme of three yerres &c. Then it shall be lawfull to the first owners, possessioners &c. of such void grounds or decayed houses &c. their heires or successors immediatly after the said three yeeres expired, into the same grounds or houses &c. to reenter, and the same to reteine to them, their heires and successors as in their first estate. In which statutes there be seuerall prouisoers &c. that the said acts shall not be preiudiciall to any persons being at the time of the said Proclamation made, vnder the age of one and twenty yerres, to any woman being married, to any person being in prison, or beyond the Sea in the Queenes warres, or in his other lawfull affaires, during such time &c. So that the same person doe within three yerres next ensuing (that same imperfection remooued) reedifie &c. the same grounds, houses, &c. as is abouesaid &c.

8 An. 27, H. 8, 1. It was enacted that if any owner or owners of any void

Townes. Transportation.

void and decayed houses, or grounds within the precinct of the Townes of Nottingham, Shrewsbury, Ludlow, Gloucester, Bridgenorth, Quinborough, and Northampton, within three yerres next after Proclamation thereof to be made by the Maiors, Sheriffs, and Bailiffs, of any of the said townes, in or vpon any such vacant or decayed houses or grounds, doe not enter, and sufficiently reedifie the same houses, grounds &c. Then it shall be lawfull to the Lord of whom such grounds &c. shalbe holden, to enter immediatly after the said three yerres expired, and to haue the same to him, his heires & successors for euer, so that the said Lord do sufficiently reedifie the same within three yerres next & immediatly following the determination of the former three yerres. And if such Lord do not enter & sufficiently reedifie the same within the said three yerres: Then it shalbe lawful to the said Maiors, sheriffs, bailiffs, &c. & their successors after the said three yerres expired, to enter into euery such grounds, or houses, and the same to reteine to them & their successors for euer, discharged of all rents going out of the same, so that the same Maiors &c. or their successors do sufficiently reedifie the same grounds &c. within three yerres next following the determination of the former three yerres. And in case the said Maiors &c. and their successors do not enter, & sufficiently reedifie the same decayed houses or grounds in forme aforesaid, within the said terme of three yerres, Then it shall be lawfull to the first owners of such decayed ground, their heires or successors immediatly after the same three yerres expired, into the same &c. to re-enter, and them to reteine to them, their heires and successors, as in their first estate. In which Act there is a pꝛouiſo for euery person being at the time of the Proclamation made, vnder age, a woman couert, in pꝛison, beyond the Sea &c. vt supra.

1 That he which dwelleth in the countrey shall not sell wares in Corporat or Market townes by retaile. S. Merchandise. 11. 12.

2 That cloth to be put to sale, shall not bee wrought but in market townes. S. Draperie 81.

Transportation.

Transporting
of things out
of the realme.
Corne.
Artillarie.
Cloth.

FOr the trasporting of Corne, Beere, Butter, Cheese, Herring, & wood.
S. Corne 1. 3. 4. 6. 7.

2 For transporting of Artillarie by any alien. S. Archerie 6.

3 For the transporting of cloth of all prices and sortes, and of woollen yarne. S. Draperie 103. 104. 105. 106. 108. 109.

4 For the transporting of Brasse, Copper, Latten, Mettal. S. Brasse 1.

5 For the transporting of any kind of sheepe being aliue. S. Sheepe 1.
Felonie 3.

6 For transporting of leather, tallow, and raw hides. S. Leather 33.

7 For transporting of gold or siluer in money, bulleon, plate, or vessels,
S. Money 3. 4. Merchants 9. Premunire. 2.

8 For transporting of Horses, Mares, or Geldings, beyond the sea, or
into

Brasse.

Sheepe.

Leather.

Gold & siluer.

Horses.

into Scotland. S. Horses 14. 16. Felonie 1.

- 9 For transporting of shoes, boots, buskins, startups &c. S. Leather 35. Shoes.
 10 For transporting of sheepskins, woolfels, the skinnnes of any Stag, Skinnnes.
 Hinde, Bucke, Doe, Kid, or the leather made of them. S. Merchants 4.
 11 For transporting of Fish. S. Ships 1. Fish 18. Fish.
 12 For transporting of vitailles. S. Vitailles 8. Corne 3. Vitaille.
 13 For the transporting of white ashes. S. White ashes 1. White ashes.
 14 For the transporting of worsteds. S. Worsteds 4. 5. Worsteds.
 15 For the transporting of worsted yarne, spun in England. S. Yarne 2. Worsted yarne
 16 For the transporting of thrummes, or woollen yarne vnder the co- Thrummes.
 lour of thrummes. S. Yarne 3.
 17 For the transporting of hornes. S. Hornes 2. Hornes.
 18 For the transporting of Spicerie. S. Merchants 1. Spicerie.
 19 For the transporting of Iesuits, Priests, &c. S. Iesuits 8. Iesuits.

Bringing of thinges into the Realme.

- F**Or the bringing of Cloth into this Realme, made in an other Re- Cloth.
 alme. S. Draperie 107.
 2 For the bringing of Corne into this Realme. S. Corne 9. Corne.
 3 That no vagabonds or beggers shall be brought out of Ireland, or Vagabonds.
 the Isle of Man, into England or Wales. S. Vagabonds 6.
 4 That no vagabonds calling themselves Egyptians, shall be brought Egyptian.
 into this Realme. S. Egyptians 1.
 5 That certain foreine wares ready wrought, shall not be brought into Foreign wares.
 this Realme. S. Merchants 3.
 6 That Irish money shal not be brought into this realme. S. Money 5. Irish money.
 7 That no person shall buy or take by exchange, any wares brought Tinne.
 into this realme, wrought out of the realme, made of Tinne, or mixt
 with Tinnne. S. Pewter 7.
 8 That no person shal bring wrought Silke into this realme. S. Silke 1. Wrought silke.
 9 That no false or counterfeit Money shall be brought into this realme False money.
 S. Treason 1. 3.
 10 That he which bringeth in Hawkes, must bring a certificat testify- Hawkes.
 ing the same. S. Hawkes 3.
 11 That they which bring in certaine other merchandizes, shall bring Bowstaues.
 in Bowstaues. S. Bowes 1. 2.
 12 For the bringing in of salted Fish, or salted Herrings into this Re- Fish.
 alme, who may doe it, and who not. S. Fish 17. 21.

Trauerse.

VHere one person or more is, or shal be found heire to the Queenes Trauerse to an
 tenant, by office or inquisition, where any other person is or shall office found
 be heire: Or if one person or more is or shall be found heire by office in after the death
 one countie, and another is or shall be found heire to the same person in of the Queenes
 an other countie: Or if any person is or shall be vntreuely found lunatike, tenant,
 P P ideot,

Trauerse.

ideot, or dead : Euery person or persons griued by any such office or inquisition, shall and may haue his or their trauerse to the same, immediatly or after, at his or their pleasure, and p[ro]ceede to triall therein, & haue like remedie add aduantage, as in other cases of trauerse vpon vntreue offices found : any law, custome, &c. notwithstanding. 2. Ed. 6. 8.

Trauerse to an office found by on attainer of felony &c.

2 Where it is, or shall be vntreuely found by office or inquisition, that any person attainted, or that shall be attainted of Treason, Felonie, or Premunire, is, or shall be seised of any lands, tenements, or hereditaments at the time of such offence committed, or at any time after, whereunto any other person or persons shall haue any iust title or interest of any estate of freehold : Then euery person griued thereby, shall haue his Trauerse or Monstrance de droit to the same, without being driuen to any petition of right. And like remedie and restitution vpon his title found or iudged for him therein, as hath bin vsed in other cases of trauerse, although the Queene shall be in such case intituled to any such lands by double matter of recozd : any law, custome, &c. notwithstanding. 2. Ed. 6. 8.

Trauerse where the D. is intituled to a tenure where none is.

3 Where it shall be found by office or inquisition, that any landes &c. shall be discended, remained, or come to any heire within age, and in the Queenes warde, or that ought to be in the Queenes warde, and that such lands are holden of the Queene immediatly, where in deede the same are holden of some other common person, and not of the Queene immediatly : In such case such heire or heires shall & may haue his or their trauerse to the same within age, & like remedie and restitution vpon his or their title found or iudged for him or them therein, as hath bin vsed in other cases of trauerse : any law, custome, &c. notwithstanding. 2. Ed. 6. 8.

Vpon a tra- uerse a Scire facias shall be awarded a- gainst the D. patentee.

4 In all such cases as any person shall be enabled by this Act to haue any trauerse, & shall pursue his trauerse : Then he that shall pursue such trauerse, shall sue one writ, or seuerall writs of (Scire facias) as the case shall require, against all and singuler such person & persons as shall haue interest by the Queene, or by her patentee or patentees, in like maner and forme as is requisite vpon trauerse, or petitions heretofore pursued, And in euery such Scire facias, the patentees or other defendants shall haue like p[re]sents and aduantage, as they had in any Scire facias before this time awarded against any patentee in any case of petition. And also vpon euery trauerse that shall be pursued by vertue of this Act, in such case as the partie that shall pursue such trauerse, should by order of the Common lawes haue bin put to sue by petition to the Queene, There shall be two writs of search granted in maner and forme, as like writs haue bin granted vpon petitions made to the Queene. 2. Ed. 6. 8. Where fower writs of Search shall be granted. S. Aide of the Queene 3.

Writs of search vpo a trauerse.

The Queenes former right reseru'd.

5 If after any iudgement shall be giuen vpon any trauerse that shall be tendered or sued by vertue of this Act, it shall appeare by any matter of recozd, that the Queene hath any former title, right, or interest to the
lands

lands &c. mencioned in the same trauerse, Then the same title, right, and interest shall be saued to her, the said trauerse, and iudgement thereupon giuen notwithstanding. 2. Ed. 6. 8. S. Offices, Liueries.

1 Where he that is indicted or appealed of Treason shall be receiued to trauerse the same. S. Treason 11.

2 Trauerse to an office wherby lands shal be found to be fraudulently conueied by any of the Queenes accomptants. S. Accomptants &c. 38.

3 Where lands shall be letten to farme to him that tendreth a trauerse. S. Patents 17.

4 For the triall of a trauerse certified of a riot. S. Riots 3.

Treason.

It is high Treason to compasse or imagine the death of the King, the Queene his wife, or of their eldest Sonne and heire: Or to deflower the Kings wife, the kings eldest Daughter being vnmarrried, or the kings eldest sonne & heires Wife: To leue warre against the King, Queene, &c. in her Realme: Or to be adherent to her enemies, ayding them in her realme, or elsewhere: Or to counterfeit the Queenes great seale, her priuie seale: Or her Honey: Or to bring false money into this realme, counterfeit like vnto the money of England, knowing the money to be false, and to make merchandize, or payment therewith: Or to slea the Queenes Chaunceloz, Treasozer, Iustice of the one Bench or other, Iustice in eyre, Iustice of assise, or any other Iustice assigned to heare & determine, being in his place, doing his office: Which foresaid Treasons doe extend to the Queene, and her royall Maiestie, and the Queene shall haue the forfeiture of the escheat of them, as well of lands & tenements holden of others, as of her selfe. 25. E. 3. 2.

Compassing the Queenes death.

Leuying war, and aiding of the Queenes enemies.

Counterfeiting the great or priuie seale.

Bringing in or counterfeit money.

Killing a iudge sitting in his place.

2 If any person doe falsely forge or counterfeit the Queenes signe manuel, priuie signet, or priuie seale: Or doe falsely forge and counterfeit any coine of gold or siluer which is not the proper coine of this Realme, & is or shall be currant within this Realme, by the consent of the Queene, her heires or successors, it is high Treason, & the offenders therein, their counsellors, aiders, procurers, and abettors, being conuict according to the Law, shall be adiudged Traitors. 1. H. 6.

Forging the signe manuel, priuie signet, or seale.

Forging the money of other realmes currant in this.

3 Whosoever doth bring into this Realme, or any the dominions thereof, from any partes beyond the Sea, any false & counterfeit coine or money like to the coine of other Realmes, being by the Queenes permission currant in payment within this Realme, knowing the same to be false & counterfeit, to the intent to utter or make payment therewith within this realme &c. by merchandizing, or otherwise, he, his counsellors, procurers, aiders, and abettors, do commit high Treason. 1. & 2. H. and H. 11.

Bringing in of counterfeit money.

4 If any person or persons shall falsely forge or counterfeit any kind of gold or siluer, as it is not the proper coine of this realme, nor permitted to be currant in this realme, it is misprision of high Treason, & the offenders

Forging of money, which neither is the money, nor currant within this realme.

Treason.

ders therein, their procurers, aiders, & abbetters, being conuict &c. shall be imprisoned, and forfeit such landes, goods, and cattels, as in cases of misprision of Treason, for concealment of high Treason. 14. El. 3.

Clipping, washing, rounding, or filing of money.

5 The clipping, washing, rounding, or filing for gaines sake of any money or coine, which now is, or hereafter shall be the coine of this Realme, or the dominions thereof, or of any other realme &c. allowed & suffered to be currant within this realme, by the Queene, her heires, or successors, is treason. And the offenders, their counsellors, consenters, and aiders, shall be adiudged as offenders in treason. But the attainder in this treason maketh no corruption of blood in the heire, or forfeiture of dower in the wife. 5. El. 11.

Diminishing, skaling, or lightning of money.

6 If any person for wicked lucre sake, do by any act, waies, or meanes whatsoever, impaire, diminish, falsifie, skale, or lighten the proper moneys or coines of this Realme, or any the dominions thereof, or the moneys &c. of any other Realmes allowed at the time of the offence committed to be currant within England, or any dominions thereof, by the Proclamation of the Queene, her heires or successors, he, his counsellors, aiders, & consenters shall be adiudged offenders in treason, and being thereof conuicted or attainted according to the Lawes, shall suffer death, and lose and forfeit all his goods and cattels to the Queene, and his landes &c. during his life onely. But the attainder for his offence, maketh no corruption of blood, nor the wife to lose her dower. 18. El. 1.

Petit Treason

7 It is petit Treason when a seruant killeth his Master, a woman killeth her husband: Or when a secular or religious man killeth his prelate, to whom he oweth obedience. And this maner of treason doth giue the forfeiture of the escheats to euery Lord of his owne proper fee. 25. Ed. 3. 2.

Misprision of treason.

8 Concealment or keeping secret of any high Treason, shall be deemed & taken onely misprision of Treason, & the offenders therein shall forfeit & suffer as in case of misprision of treason hath heretofore bin vsed. 5. Ed. 6. 11. 1. & 2. P. & M. 18. 1. El. 6. S. Prisons 2. that it is misprision of Treason to conspire to set at libertie any person committed to prison by the Queenes commaundement, for any Treason or suspicion thereof, touching her own person, befoze the same person be indicted therof. 14. El. 2.

Trial of treason & murders by speciall commission.

9 If any person being examined befoze the Queenes Councel, or three of them, vpon any Treasons, misprisions of Treasons, or Murders, doe confesse any such offences, or that the said Councell, or three of them, vpon such examination, shall thinke any person so examined to be vehemently suspected of any such offences: Then the Queenes commission of oyer & terminer vnder the great Seale shall be made to such persons, & into such Shires or places, as shall be appointed by her Highnesse for the speedie triall, conuiction, or deliuerance of such offenders, which Commissioners shall haue authoritie to inquire, heare, & determine all such treasons, misprisions of treasons, & murders, within the shire & places limited by their commission,

commission, by such good and lawfull persons, as shall be returned before them by the Shirife, his minister, or other hauing power to retorne writs & proces for that purpose, in whatsoeuer other shire or place within the D. dominions, or without, such offences were committed. 33. H. 8. 23. That challenges the offender in this case shall haue. See Challenge 8. S. Dyer 286. that for Treason this statute is repealed by 1. & 2. P. and M. 10.

10 All offences being made or declared to be made &c. treasons, misprisions of treasons, or concealments of treasons, & done or committed by any person out of this Realme of England, shall be inquired of, heard and determined before the Iustices of the Kings Bench, by good and lawfull men of the same shire where the said Bench shall sit and be kept, or else before such commissioners, & in such shire of the Realme, as shall be assigned by the Queenes commission, and by good and lawfull men of the same shire, in like maner to all intents, as if such offences had bin committed within the same shire where they shall be so inquired of, heard, and determined. 26. H. 8. 13. 35. H. 8. 2. 5. Ed. 6. 11. S. Dyer 298. that the statute of 35. H. 8. remaineth in force not repealed.

Triall of treasons committed out of the realme.

11 All proces of outlawrie to be made within this realme, against any offenders in Treason, being resistant out of this realme, or beyond the Sea, at the time of the outlawrie pronounced against them, shall be as good & effectuell in the law to all intents, as if any such offenders had bin resistant within this realme at the time of such proces awarded, & outlawrie pronounced. But if the partie so outlawed shall within one yeere next after the said outlawrie pronounced, or iudgement giuen thereupon, yeeld himselfe vnto the chiefe Iustice of England for the time being, & offer to trauerse the said indictment or appeale whereupon the said outlawrie shall be pronounced, then he shall be receiued to the said trauerse, & being thereupon found not guiltie by the verdict of xii. men, he shall be cleerely discharged of the said outlawrie, and of all penalties and forfeitures by reason of the same, in as ample maner as though no such outlawrie had bin made. 26. H. 8. 13. 5. Ed. 6. 11.

Outlawrie of an offender being out of the realme.

12 All such treasons and misprisions of treasons which any person shall commit within the principalltie of Wales, and Marches of the same, or elsewhere within any the Queenes dominions, where her originall writs in the Chauncerie of England commonly runne not, shall be presented & tried by the oath of xii. men, which shall inhabite within any such shires, and before such commissioners, as the Queene from time to time in such cases shall assigne by her commission or commissions of Dier and Terminer, in like maner, as if such offences had bin committed within the said Shires into the which the said commissions shall be directed. And all presentments, trials, proces, iudgments, executions, & forfeitures made, had, or done by vertue of such commissions, shall be good and effectuell in the law to all purposes &c. 32. H. 8. 4.

Triall of treasons committed where the D. writ runneth not.

Treason.

**Trial of
Treason.**

Quere.

**Attainder of
Treason by the
common Law
of as great
strength, as by
parliament.**

13 All trials to be had, awarded, or made for any Treason, shall be had & used onely according to the due order & course of the common Lawes of this Realme, & not otherwise. 1. & 2. P. & M. 10. Quere if this doe take away, or diminish the force of any of the other branches, viz. 9. 10. 11. 12.

14 If any person or persons shall be attainted of high Treason by the course of the common Lawes, or statutes of this realme, in euery such case euery such attainder by the common Law shall be of as good strength, value, force, and effect, as if it had bin done by authoritie of parliament. And the Queene, her heires & successors, shall haue as much aduantage by such attainder, as well of uses, rights, entries, conditions, and possessions, reuerfions, remainders, and all other things, as if it had bin done & declared by authoritie of parliament, and shall be deemed & adiudged in actuall & real possession of the lands, tenements, hereditaments, uses, goods, cattels, and all other thinges of the offenders so attainted, which her highnes ought lawfully to haue, and which they so being attainted ought or might lawfully lose & forsaite if the attainder had bin done by authoritie of parliament, without any office or inquisition to be found of the same: any law, statute, &c. notwithstanding. Sauing to all & euery person & persons, and bodies politike, & their heires, assignes, and successors, and euery of them, (other then such person and persons, which shall be attainted of high treason, and their heires & assignes, and euery of them, and all and euery other person & persons, claiming by them, or any of them, or to their uses, or to the uses of any of them, after the said Treasons committed) all such right, title, use, possession, entrie, reuerfions, remainders, interests, conditions, fees, offices, rents, annuities, commons, leases, & all other commodities, profits, & hereditaments whatsoever they or any of them, should, might, or ought to haue had, if this Act had neuer bin made. An. 33. H. 8. 20.

**No record of
attainder of
treason reuer-
sed, where the
party attain-
ced is executed
for the same.**

15 No record of attainder that now is, of any person or persons, of or for any high Treason, where the partie so attainted is, or hath bin executed for the same Treason, shall by the heire or heires of any such person, or by any other whatsoever claiming, in, from, by, or vnder any such heire or heires, be in any wise hereafter reuerfed, vndone, auoided, or impeached by any plea, or for any error whatsoever. But this Act shall not extend to any record of attainder, of, or for any treason, vpon which any writ of error is now depending, or which record is already reuerfed, repealed, or vndone, by, or for any error, matter, plea, or cause whatsoever, but the same shall be and remaine as vnto and against that partie, at whose sute the same writ of error is depending, or at whose pursute the same record hath bin reuerfed, repealed, or vndone, and his & her heires & assignes onely, as if this Act had neuer bin had or made: any thing in this act &c. 29. El. 2.

**Where the re-
cord is reuerfed
or thereupon a
writ of Error
depending.**

1 Treason for the second refusall of the oath for the Queenes supreme government ouer all estates. S. Queene 8.

2 Treason in compassing to depose, or destroy the Queene, or to leuie

warre

warre &c. Or in affirming that she ought not to inioy the Crowne, but some other. S. Queene 12.14.15.

3 Treason in affirming that the Queene is an heretike, schismaticke, tyrant, infidell, or vsurper. S. Queene 12.19.

4 Treason in maintaining that the common Lawes, or statute Lawes do not limit or bind the right of the Crowne. S. Queene 15.

5 Treason in maintaining or extolling the authoritie of the Bishop or See of Rome. S. Rome 1.

6 Treason in obtayning any bull or instrument from Rome, or in giuing or taking absolution thereby. S. Rome 2. Premunire 5.

7 Treason in conspiring to set any person at liberty, committed to prison by the Queenes commaundement for treason or suspicion thereof touching her person. S. Prison 2.

8 For the forfeitures in high Treason. S. Forfeiture 2.

9 That peremptorie challenge is not allowable in cases of high treason and misprision. S. Challenge 10.11.

10 Treason in withholding any of the Queenes castles, destroying of her ships, or baring any of her hauens. S. Castles 2.

11 Misprision of high Treason in concealing of a bull, or other instrument from Rome, or absolution offered. S. Rome 4.

12 Treason for perswading, or reconciling, or being reconciled to the Romish Religion. S. Rome 7.8.

13 Treason for a Iesuit, or Priest &c. to come into, or remaine in any of the Queenes dominions. S. Iesuits 2.

14 Treason by remaining in a Seminarie, and not returning after proclamation and taking the oath. S. Iesuits 4.

Triall.

Where any person shall be feloniously stricken or poisoned in one countie, & die of the same stroke or poisoning in any other countie, then an Indictment thereof found by Iurozs of the countie where the death shal happen (whether it be found before the Coroner, vpon the sight of such dead bodie, or before the Iustices of P. or other Iustices or Commissioners which shall haue authoritie to inquire of such offences) shall be as good in law, as if the stroke or poisoning had bin committed in the same countie where the party shal die, or where such indictment shalbe so found. And the Iustices of Gaole deliuerie, and Oier and terminer in the same countie where such indictment shall be taken, and also the Iustices of the Kings Bench after such indictment shall be remoued before them, shall and may proceed vpon the same in all points, as they should or ought to do in case such felonious stroke or poisoning, and death thereof insuing, had growen all in one same countie. And such party to whom appeale of Murder shall be giuen by the law, may commence, take, and sue appeale of murder in the same countie where the partie so feloniously stricken, or

Triall where the striking or poisoning is within one countie, & dyeth in an other.

Appeal of murder in the countie where the death insueth.

Triall.

Appeal against
the accessarie.

poysoned, shall die, aswell against the principall and principals, as against euery accessarie to the same offences, in whatsoever countie or place the accessarie shall be guiltie to the same. And the Iustices before whom any such appeale shall be commenced, sued, and taken, within the yeere & day after such murder & manslaughter committed, shall proceede against euery such accessary in the same countie where such appeale shall be so taken, in like maner and forme, as if the same offence of accessary had bin committed in the same countie where such appeale shall be so taken, aswell concerning the triall by the Iurozs of the countie where such appeale shall be taken, vpon the plea of not guiltie pleaded by such offender, as otherwise. An. 2. Ed. 6. 24.

Trial of an ac-
cessarie in one
countie, to an
offence done in
an other.

2 Where any murder or felony shall be committed in one countie, and an other person or moe shall be accessarie to the same in any other countie, then an indictment found or taken against such accessarie and accessaries vpon the circumstance of such matter (before the Iustices of the peace, or other Iustices or Commissioners, to inquire of Felonies in the countie where such offences of accessarie shall be committed) shall be as good in the law, as if the said principall offence had bin committed within the same countie, where the same indictment against such accessarie shall be found. And the Iustices of gaole deliuerie, or Dier & terminer, or two of them, of, or in such countie, where the offence of any such accessarie shall be committed or done, (vpon sute to them made) shall write to the Custos Rotulorum, or keepers of the records, where such principall shall be attainted or conuicted, to certifie them whether such principal be attainted or conuicted, or otherwise discharged of such principall felonie, who vpon such writing shall make sufficient certificat in writing vnder their seale or seales to the said Iustices, whether such principal be attainted, conuicted, or otherwise discharged or not. And after that they do certifie that such principall is attainted, conuicted, or otherwise discharged of such offence, then the said Iustices &c. shall proceede vpon euery such accessary, in the countie where he became accessarie, in such maner and forme, as if both the said principall offence & accessarie had bin committed in the said countie where the offence of accessarie was committed, and euery such accessarie & other offenders aboue expessed, shall answer vpon their arraignements, and receiue such triall, iudgement, order, and execution, & suffer such forfeitures as is vled in other cases of felonie. An. 2. Ed. 6. 24.

Trial of for-
rein pleas.

3 All forrein pleas triable by the countie, pleaded by any person arraigned vpon any indictment, for any petit treason, felonie, or murder, shall be forthwith tried by the same Iustices before whom such person shall be arraigned, & by the same Iurozs of the same countie, that shall trie the petit treason, murder, or felonie, wherof he shall be so arraigned, without any further respect or delay, in whatsoever countie or place of this realme the matter of the same pleas be supposed or alleaged. 22. H. 8. 14. 32. H. 8. 3.

And

And if any person arraigned for murder or felonie, pleade y he was taken out of a priuiledged place in a forrein countie, and that he denied, the same shall be tried before the same Iustices, and by the same Iurie that shall trie the murder or felonie. 4. H. 8. 2. 2. 2. H. 8. 2. Taken out of sanctuary.

4 All treasons, misprisions of treasons, murders, manslaughterers, bloodsheds, and other malicious strikinges, by reason whereof blood shall be shed against the Queenes peace, which shall be done within anie the palaces or houses of the Queene, or her heires, or within any other house or houses, at such time as her Maiestie shall be then abiding in her royall person, shall be inquired of, tried, heard, & determined within anie the Queens houses, or other house where her Maiestie shall be abiding, before the Lord Steward of the Queens household, and in his absence before the Treasurer and Comptroller of the Queens household, and Steward of the Marshalsey for the time being, or two of them, whereof the Steward of the Marshalsey to be one, by vertue of their offices, without anie commission or other authoritie to them giuen. And whether the Queene shall be removed from the house where such offences shall be done or not, before they be inquired of, heard, and determined, yet such offences shall be inquired of, tried, heard, and determined before the Queenes officers of household, before named, or two of them, by the inquisition & verdict of her household servants in her Checke roll, at such palace or house where her Maiestie shall be at any time abiding. 33. H. 8. 12. For the limits of the Queenes palace. S. Fighting 1. Trial of murders &c. done within the Q. palace.

5 The two Clerkes Comptrollers, Clerks of the Check, and Clerke Marshals, for the time being, of the Queenes household, or one of them, vpon a precept to them, or any of them made, by the Lord Steward, or in his absence by the said Treasurer & Comptroller of the Queens household, and the said Steward of the Marshalsey, or by two of them, whereof the said Steward of the Marshalsey to be one, haue power to summon, warne, and returne the names of foure and twentie persons being Weomen officers of the Queenes said household in the said Checke rolle, to enquire of such treasons, misprisions of treasons, murders, manslaughterers, and other malicious striking, by reason whereof blood shall be shed against the Q. peace, before the said lord Steward, or &c. Treasurer, Comptroller and Steward of the Marshalsey, or before two of them &c. And it shall be lawfull to them before whom such returns shall be made, to cause such number of the said foure and twentie persons so returned aboue the number of twelue persons, as to him or them shall seeme expedient, to enquire of such treasons, misprisions of treasons, murders, manslaughterers, and other malicious strikinges, by reason whereof blood shall be shed against the Q. peace, within the said palaces, or other the said houses at any time committed &c. 33. H. 8. 12. Enquire of bloodsheds by the yeoman officers.

6 And if any person or persons be indicted by the said Iury, or by inquisition

Arraignement
of an offender
indicted.

quisition before the Coroner of the said household, and certified before the said lord Steward &c. or Treasurer, Comptroller, and Steward of the Marshalsey, or two of them, whereof the said Steward of the Marshalsey to be one, then immediately the said lord Steward or &c. Treasurer, Comptroller, and Steward of the Marshalsey, or two of them &c. before whom the said presentment, inquisition, or indictment shall be so found, or certified by the said Coroner, shall arraigne before them every such person so indicted, according to the course of the common law, and forthwith after issue ioyned betwene the Queene and the prisoner so arraigned, the same day & place or any other shall make an other precept to the said Clerks Comptroller, Clerks of the Cheeke, and Clerkes Marshals of the said household, or to one of them, to summon & returne one Jurie of xiiii. persons, to appear before the said lord Steward or &c. Treasurer, Comptroller, & Steward of the Marshalsey, or two of them &c. at such daie, time, & place, and vpon such paine as shall be then limited, of the Sergeants and gentlemen officers of the Queenes chamber, and of the said household, which shall take wages by the Queenes Cheeke roll. And the said lord Steward or &c. Treasurer, Comptroller, and Steward of the said Marshalsey, or two of them &c. before whom such Jurie shall be so returned, shall cause twelue of the same Jurie to be swozne, truly to trie betwene the Queene and such person as shall be so indicted and arraigned of such treasons, misprisions of treasons, murders, manslaughters, & other malicious strikings, by reason whereof blood shall be shed against the Queenes peace, or any of them. 33. H. 8. 12. what challenge he which is in this sort arraigned shall haue. S. Challenge 9.

The punish-
ment of the
party attain-
ed.

7 If such person so indicted and arraigned, be found guilty of anie treason, misprision of treason, murders, or manslaughters, then hee shall haue iudgement of life and member, and suffer such paines of death, and shall forfeit &c. in like maner as if he had been found guilty of any of the said offences by the order of the common lawes. 33. H. 8. 12. How he shall be punished which striketh maliciously within the Queenes palace, whereby blood shall be shed. S. Fighting 1.

Triall of
Peers.

S. Treason. 5.

Treason. 6.

Queene 12.
14. 15.

Reme. 1.

8 If any of the Lords of the Parliament or Peere of this Realme shall be indicted of any offence made treason by the Act made 5. Eliz. 11. against the clipping, washing, rounding or filing of coyne, Then they and every of them shall haue his or their triall by their Peeres as hath beene used in cases of high treason. And so shall any Peere of this realme which shall be indicted of any offence made treason by the Stat. of 18. Eliz. 1. provided against the diminishing and impairing of the Queenes coyne, and other coyne lawfully currant within this realme. And so shall any Peere that shall be indicted of any offence made treason by the Stat. 13. Eliz. 1. And so shall any Peere that shall offend contrary to the Act provided, An. 5. Eliz. 1. for the assurance of the Queenes royall power ouer all states and subiects,

subiects, or any branch or article thereof. And so shall any Peere being indicted of any of the offences prohibited by the stat. made 13. Eliz. 2. against the bringing in of Bulles &c. from Rome. And so shall any Peere which shall be indicted of anie offence made Treason or misprision of treason by the stat. provided 23. Eliz. 1. to retaine the Queenes subiects in due obedience. And so shall any Peere which shall be indicted of any offence made Treason, Felonie, or Premunire by y^e stat. provided 27. Eliz. 2. against Iesuites, Seminarie priests &c. And Ladies of great estate, viz. Duchesses, Countesses, or Baronesses, which shall be indicted of any treason or felony by them done, whether they be married or sole, shall be brought to their answer, and put to answer, and iudged before such Judges and Peeres of the realme, as Peeres of the realme should be, if they were indicted or impeached of such treasons or felonies committed, and in like maner and forme and none otherwise. 20. H. 6. 9.

Rome. 2.

Rome. 7. 8.

Iesuits. 2. 4.

The order of the triall of Ladies.

9 If a release or other deede be pleaded in barre in assise, or other ples of land, or in any action grounded vpon a contract, couenant or trespass being dated within any franchise where the Queenes writ runneth not, it shalbe tried in the countie where the action is brought, and if witnesse be in the deede, processe shalbe made in the same countie, and if the witnesse doe not come at the graund distresse returned, the Iustices shall take the enquest, as well as if the deede had bozne date in the same countie where the suite was moued, and that the witnesses had been of the same county. 9. Ed. 3. 4.

Trial of a deed where the D. writ runneth not.

1 For the triall of treasons, misprision of treason, and murders, by special commission. S. Treasons 9. Piracie 1.

2 For the triall of treasons committed out of the Realme. See Treason 10.

3 For the trial of treasons committed in Wales, and where the Queenes writ runneth not. S. Treason 12.

4 That trials of treasons shall be according to the course of the Common lawes. S. Treason 13.

5 Who shalbe admitted to passe in triall of felonies and treasons in corporat townes. S. Iurors 15.

6 Where trials shalbe De medietate linguæ, and where not. S. Iurors 29. 30. Attaint 21.

7 For the triall of him which imbecilleth a record. S. Felonie 18.

8 By whom bastardie alleadged in him that is borne beyond the Sea, shall be tried. S. Abilitie. 2.

9 For the punishment of a Felon which refuseth lawfull triall. See Felonie 40.

10 For the trial of offences done vpo the maine Seas. S. Piracie 1. 2. 4.

11 For the trial before the Shirifes, or in court barons, or in corporate townes in Wales. S. Wales 42. 55.

Turnes of Shirifs.

12 Triall of all offences made felonie by the Act (prouided 23.El.2.) against sedicious words vttered against the Queene. S.Newes.9.

13 The triall of the arriuall, discharging, and deliuerie of brasse and other Mettals, into anie part beyond the sea. S.Brasse &c.2.

Turne of Shirifes.

At what time
the shirife may
hold his turne.

NO Shirife nor his Bailife, shal hold his turne but in the due and accustomed place, and but twice in the yere, that is, once within a moneth after Easter, and another time within a moneth after Michaelmas. (And if he do hold his turne in other maner, he shall lose his turne for that time. 31.Ed.3.14.) And the view of frankpledge, shalbe at the feast of S.Michael without any stay, so that euery man may haue his liberties. And the view of frankpledge shall be so vsed, as that the Queenes peace may be preserved, and that the Tything may be kept whole, as it had wont to be. And the Shirife shall seeke no occasion, but be content with that which the shirife had wont to haue at his Leete, in the time of King Henrie the second. Mag. Chart.9.H.3.36.

Persons ex-
empted.

2 Archbishops, Bishops, Earls, Barons, and women, need not to come to the shirifs turnes, except their presence for any cause be specially required. And they which haue land in diuers hundredes, neede not to come to such turnes, but in the bailiwikes where they be conuersant. Marleb. 52.H.3.3.10.

Apparel.

3 Shirifes in their Turnes shall and may inquire, heare, and determine all offences committed within the limits of their authorities, contrary to the stat. prouided. 1.&2.H.8. for reformation of excesse in apparell, and may vpon the conuiction of any offendor award proces to the shirife of any shire within this realme, for the apprehension of the said offendor. 1. and 2.H.8. and H.2. S.Apparel.

Apparell.

4 And also they may there inquire of all offences and forfaitures committed contrary to the stat. prouided 24.H.8. For the reformation of excesse in apparell, & asseſse fines according to the stat. 24.H.8. 13. S.Apparel.

Horsebreed.

5 And also they may there inquire and determine euery default and offence of Hostlers, making horsebreed (not of sufficient, lawfull, and due assise, according to the price of corne) committed within the limits of their iurisdictions. 32.H.8.41. S.Inholders 2.

Attachments
in the marches.

6 And also they may there inquire of attachments made by the officers of the courts of the East Marches, or West Marches, out of any of the Countie of Westmerland, Cumberland, or Northumberland, or the towne of Newcastle vpon Tyne, and therein proceede, as they may vpon presentments taken before them in their turnes of trespasses, or affraies made against the Queenes peace. 31.H.6.3. S.Marches 1.

Wines.

7 And also they may there inquire by the othes of xii. lawfull men, of all offences committed contrary to the statute prouided. 7.Ed.6. To auoid the prices and excesse of wines, and euery presentment taken by the othes

other of xii. men, shall be of such force, as if the same were taken in the Kings bench. 7. Ed. 6. 5.

8 And also they may there inquire, heare and determin all and euery of the offences committed within the limits of their authorities contrarie to the statute prouided for the continuance of making of Caps. 13. Eliz. 19. S. Hats 1. 2.

1 What Iurors shalbe returned in a Shirifs turne. S. Iurors 14.

2 That an indictor in the Shirifs turne, which is sued in a spirituall court shall haue a Prohibition. S. Prohibition. 7.

3 At what time Shirifs in Wales shall keepe their Turnes, who shall haue the fines, issues and amerciaments there forfeited, and who shall asserre them. S. Wales 43.

Vagabonds, Rogues, &c.

It shall and may be lawfull to and for the Iustices of peace of any Countie or Citie in this Realme or the Dominions of Wales, assembled at any quarter Sessions of the peace within the same Countie, Citie, Borough, or Towne corporate, or the more part of them, to set downe order to erect, and cause to be erected one or more houses of correction within their seuerall Counties or Cities: for the doing and performing whereof, and for the prouiding of stocks of money, and all other things necessary for the same, and the raising and gouerning of the same, and for correction and punishment of offenders thither to be committed, such orders as the same Iustices or the more part of them shall from time to time take, reforme, or set downe in any their said quarter Sessions in that behalfe, shall be of force, and be duly perfourmed and put in execution. 39. Eliz. 4.

The Iustices of peace shall set downe orders for the erection and maintenance of houses of correction.

2 All persons calling themselves Schollers going about begging, all Seafaring men pretending losses of their ships or goods on the Sea, going about the Countrey begging, All idle persons going about in any Countrey either begging, or vsing any subtil craft, or vnlawfull games and playes, or sayning themselves to haue knowledge in Physiognomie, Palmestrie, or other like craftie science, or pretending that they can tell destinies, fortunes, or such other fantasticall imaginations: All persons that be, or vetter themselves to be Proctors, procurers, patent gatherers, or collectors for gaoles, prisons, or hospitals: All Fencers, Bearewards, common players of Enterludes, and Minstrels, wandring abroad, (other then players of Enterludes belonging to any Baron of this Realme, or any other honorable personage of greater degree, to be authorized to play vnder the hand and seale of Armes of such Baron or personage.) All Juglers, Tinckers, Pedlers, and petie Chapmen wandring abroad, All wandring persons & common laborers, being persons able in body, vsing loytering, and refusing to worke for such reasonable wages as is taxed or commonly giuen in such partes, where such persons do, or shall happen to dwell.

Who shall be adiudged Rogues, Vagabonds, and sturdie beggars.

Vagabonds, Rogues, &c.

dwell or abide, not hauing liuing otherwise to maintaine themselves, All persons deliuered out of gaoles that do beg for their fees, or otherwise do trauaile begging: All such persons as shall wander abroade begging, pretending losses by fire, or otherwise: And all such persons not being felons, wandring and pretending themselves to be Egyptians, or wandring in the habit, forme, or attire of counterfeit Egyptians, shall be taken, adiudged and deemed Rogues, Vagabonds, and sturdie Beggars, and shall susteine such paine and punishments, as by this Act is in that behalfe appointed. 39. Eliz. 4.

The punish-
ment of a
Vagabond.

3 Euery person which is by this present act declared to be a Rogue, Vagabond, or sturdie beggar, which shall be at any time taken begging, vagrant, wandring, or misordering themselves in any part of this realme or the dominion of Wales, shall vpon their apprehension by the appointment of any Justice of peace, Constable, Headborough, or Tithingman of the same Countie, Hundred, Parish, or Tithing, where such person shall be taken (the Tithingman or Headborough being assisted therein with the aduise of the Minister, and one other of that parish) be stripped naked from the middle vppwards, and shall be openly whipped, vntill his or her body be bloudy: and shall be forthwith sent from parish to parish, by the officers of euery the same, the next straight way to the parish where he was bozne, if the same may be knowne by the parties confession or otherwise. And if the same be not knowne, then to the parish where he or she last dwelt before the same punishmēt by the space of one whole yeare, there to put him or herselfe to labour as a true subiect ought to do: Or not being knowne where he or she was bozne, or last dwelt, then to the parish thorough which he or she last passed without punishment. After which whipping the same person shall haue a Testimoniall subscribed with the hand, & sealed with the seale of the same Justice of peace, Constable, Headborough, or Tithingman, & of the Minister of y^e same parish, or of any two of them, testifying that the same person hath bin punished according to this Act, & mentioning the day & place of his or her punishmēt, and the place whereunto such person is limited to go, & by what time the said person is limited to passe thither at his perill. And if the said person through his or her default do not accomplish the order appointed by the said testimoniall, then to be estsones taken & whipped, and so as often as any default shall be found in him or her contrary to the forme of this statute, in euery place to be whipped, til such person be repaired to the place limited: The substance of which Testimoniall shall be registred by the Minister of that parish, in a booke to be provided for that purpose, vpon paine to forfait v. s. for euery default therof, and the partie so whipped, and not knowne where he or she was bozne, or last dwelt by the space of a yeare, shall by the officers of the said village, where he or she so last past thorough without punishment, be conueyed to the house of correction of the limit wherein the said village standeth,

standeth, or to the common gaole of that Countie or place, there to remaine and be employed in worke, untill he or she shalbe placed in some seruice, and so to continue by the space of one yeare, or not being able of body, untill he or she shalbe placed to remaine in some Almes house in the same Countie or place. 39. Eliz. 4.

4 Provided alwaies, if any of the said Rogues shall appeare to be dangerous to the inferiour sort of people where they shalbe taken, or otherwise be such as will not be reformed of their rogissh kind of life by the former provisions of this Act. That in euery such case it shall and may be lawfull to the said Iustices of the limit where any such Rogue shall be taken, or any two of them, whereof one to be of the Quorum, to commit that Rogue to the house of correction, or otherwise to the gaole of that Countie, and then such of the same Rogues so committed, as by the Iustices of the peace then & there present, or the most part of them, shalbe thought fit not to be deliuered, shall & may be lawfully by the same Iustices or the most part of them, be banished out of this Realme, and all other the dominions thereof, & at the charges of that countrey, shalbe conueied vnto such parts beyond the seas, as shalbe at any time hereafter for that purpose assigned by the priuie Councell vnto her Maiestie, her heires or successors, or by any vi. or more of them, whereof the L. Chancello, or L. Keeper of the great seale, or the L. Treasurer for the time being to be one, or otherwise to be adiudged perpetually to the Gallies of this Realme, as by the same Iustices or the most part of them it shalbe thought fit & expedient: And if any such Rogue so banished as aforesaid shal returne againe into any part of this realme or dominion of Wales without lawfull license or warrant so to do, that in euery such case such offence to be felony, and the partie offending therein suffer death as in case of felony: The said felony to be heard and determined in that County of this Realme or Wales, in which the offendor shall be apprehended. 39. Eliz. 4.

Rogues whiche be dangerous or will not be reformed.

Rogues banished out of this Realme, or deliuered to the Gallies.

If a Rogue banished shall returne without license, it is felony.

5 If in any Towne, Parish or Village, the Constable, Headborough, or Tithingman, be negligent and do not his or their best indeuor for the apprehension of such Vagabond, rogue, or sturdie beggar, which there shalbe found contrary to the forme of this present Act, and to cause euery of them to be punished and conueied according to the true meaning of this present act, then the said Constable, Headborough or Tithingman, in whom such default shalbe, shall loose and forfeit for euery such default x. s. And also if any person or persons do in any wise disturbe or let the execution of this law, or any part thereof concerning the punishment & conueying of Rogues, vagabonds, sturdie beggars, or the reliefe or setting of poore impotent persons in any maner of wise, or make rescusse against any officer or person authorisid by this present act for the due execution of any the premisses, the same person so offending shal forfeit and lose for euery such offence the summe of five pound, and shal be bound to the good behauiour. 39. Eliz. 4.

Forfeiture for not apprehension of a Vagabond.

Disturbing the execution of this statute.

Vagabonds, Rogues, &c.

Bringing into
this Realme
of Irish, Scot-
tish, or Man-
like vaga-
bonds.

6 No person or persons having charge in any voyage, in passing from the Realmes of Ireland or Scotland, or from the Isle of Man, into this Realme of England, shall wittingly or willingly bring or conuey, or suffer to be brought or conueyed in any vessell or boate, from and out of the said Realme of Ireland, Scotland, or Isle of Man, into the Realme of England or Wales or any part thereof, any Vagabond, Rogue, or Beggar, or any such as shalbe forced or very like to liue by begging within the Realme of England or Wales, being bozne in the same Realmes or Island, on paine of euery such person so offending, to forfeit and lose for euery such vagabond, rogue, beggar, or other person like to liue by begging xx. s. to the vse of the poore of the said parish in which they were set on land. And if any such Manniske, Scottish, or Irish Rogue, vagabond, or beggar, be alreadie, or shall at any time hereafter be set on land, or shall come into any part of England or Wales, the same after he or she shall be punished as aforesaid, shalbe conueyed to the next port or parish in or neere which they were landed or first came, in such sort as Rogues are appointed to be by this present act, and from thence to be transported at the common charge of the countrey where they were set on land, into those parts from whence they came or were brought. And euery Constable, Headborough, and Tithingman neglecting the due performance thereof, shall forfeit for euery such offence x. s. 39. Eliz. 4.

Diseased per-
sons resorting
to Bathe or
Buxton.

7 No diseased or impotent poore person shall at any time resort or repaire fro their dwelling places to the City of Bathe or towne of Buxton, or either of them to the Bathes there for the ease of their griefes, vnesse such person do forbear to beg, and be licensed to passe thither by two Iustices of peace of the Countie, where such person doth or shall then dwell or remaine, and prouided for to trauaile with such reliefe, for and towards his or her maintenance, as shalbe necessary for the same person, for the time of such his or her trauaile, and aboade at the Citie of Bath & towne of Buxton, or either of them, and returne thence, and shall returne home againe as shalbe limited by the said license, vpon paine to be reputed, punished, and vsed as rogues, vagabonds, and sturdie beggers declared by this present act. And the inhabitants of the same City of Bathe, and towne of Buxton shall not in any wise be charged by this act, with the finding or reliefe of any such poore people. 39. Eliz. 4.

The Iustices
within townes
corporate shall
onely inter-
meddle there.

8. Prouided alwaies that the Iustices of peace within any Countie of this Realme or Wales, shal not intronit or enter into any citie, borough, or townes corporate, where be any Iustice or Iustices of the peace for any such Citie, Borough, or Towne corporate, for the execution of any branch, article, or sentence of this Act, for or concerning any offence, matter, or cause, growing or arising within the precincts, liberties, or iurisdiction of such Citie, Borough, or townes corporate, But that it may and shall be lawfull to the Iustice and Iustices of the peace, Maiors, Bailifes

Bailiffes, and other head officers of those Cities, Boroughes, & Townes corporate, where there be such Iustices of the peace, to proceede to the execution of this Act, within the precinct and compasse of their liberties, in such maner and forme as the Iustices of peace in any Countie may or ought to doe within the same Countie, by vertue of this Act: any thing in this Act to the contrarie thereof in any wise notwithstanding. 39. El. 4.

9 Provided also that this Act, or any thing therein contained, shall not extend to the poore people for the time being, in the Hospitall, called Saint Thomas hospitall, other wise called the Kings hospitall in the borough of Southwarke neere adioyning to the citie of London, but that the Maior, Comminaltie, and Citizens of the said citie of London for the time being, shall and may haue the rule, order, and gouernment of the said Hospitall, and of the poore people therein for the time being: any thing in this act to the contrarie notwithstanding. 39. El. 4.

S. Thomas
Hospitall in
Southwarke.

10 Provided alwaies, that this Act or any thing therein contained, or any authoritie thereby giuen, shall not in any wise extend to disinherit, preiudice, or hinder Iohn Dutton of Dutton in the Countie of Cheshire Esquire, his heires or assignes, for, touching, or concerning any libertie, preheminence, authoritie, iurisdiction, or inheritance, which the said Iohn Dutton now lawfully vseth, or hath, or lawfully may or ought to vse within the Countie Palantine of Chester, and the Countie of the citie of Chester, or either of them, by reason of any auncient Charters, of any Kings of this land, or by reason of any prescription, vsage or title, whatsoever. 39. El. 4.

The iurisdiction
of Iohn Dutton
of Dutton
reserved.

11 All fines and forfeitures appointed, or to grow by this present Act, (except such as are otherwise limited and appointed by this present Act) shall wholly goe and be employed to the vse of the reparations and maintenance of the said houses of correction, and stocke & store thereof, or reliefe of the poore where the offence shall be committed, at the discretion of the Iustices of the peace of the same limit, citie, borough, or towne corporate. And that all fines and forfeitures appointed, or to grow by conviction of any person, according to this present Act, shall by warrant vnder the hands and seales of any two or more of the Iustices of the peace of the same countie, citie, borough, or towne corporate, be leuied by distress and sale of the goods and chattels of the offender, which sale shall be good in the law against such offender. And that if any of the said offences shall be confessed by the offender, or that the same shall be prooued by two sufficient and lawfull witnesses, before such two or more Iustices of the peace; That then euery such person shall forthwith stand and be in the law convicted thereof. 39. El. 4.

In what sort
the forfeitures
shall be implead-
ed.

12 Any two, or more Iustices of the peace within all the said seuerall Shires, Cities, Boroughes, or Townes corporate, whereof one to be of

Iustices of p.
may heare and
determine all
the causes of
this statute.

Vagabonds, Rogues, &c.

the Quorum, shall haue full power by authoritie of this present Act, to heare, and determine all causes that shal grow or come in question, by reason of this Act. 39. El. 4.

Commissioners to inquire for money gathered for houses of correction or stocks for the poore.

13 The Lord Chaunceloz or Keeper of the great Seale of England for the time being, shall and may at all times hereafter by vertue of this present Act, without further warrant, make & direct commission or commissions vnder the great Seale of England, to any person or persons, giuing them, or some of them thereby authoritie, aswell by the oathes of good and lawfull men, as of witnesses, or examination of parties, or by any other lawfull waies or meanes whatsoeuer, to inquire what summes of money or other things haue bin, or shall be collected or gathered, for, or towards the erection of any houses of Correction, or any stocks or other things to set poore on worke, or for the maintenance thereof at any time after the 17. day of Nouember, in the eighteenth yeere of the raigne of the Queenes most excellent Maestie, and by whom the same were or shall be collected or gathered, and to whose handes comen, and to what vse, and by whose direction the same was or shall be imployed. And to call all and euery such person and persons, & their suerties, and euery of their executors or administrators to an accompt: And to compell them & euery of them by attachment of their goods or bodies, to appeare before them for the same, and to heare and determine the same, and to leuie such money and things as they shall find not to haue bin duely imployed vpon the said houses of correction, or stocks, or vpon other like vses, hauing in such other like vses, respect of thinges past by the said Commissioners to be allowed of, either by distress, and sale of the goods and chattels, of such persons as they shall thinke fit to be chargeable or answerable for the same, or by imprisonment of their bodies at their discretion: And the same Commissioners shall haue full power and authoritie to execute the same commission according to the tenour and purport thereof: And all their proceedings, doings, iudgements, and executions by force and authoritie thereof shall be, and remaine good and auailable in the law: which said money so leuied by the said Commissioners, shall bee deliuered and imployed for the erecting or maintenance of the same. 39. El. 4.

A provision for poore Sea faring men.

14 Provided alwaies neuertheles, that euery Seafaring man suffering Shipwracke, not hauing wherewith to relieue himselfe in his traualles homewards, but hauing a testimoniall vnder the hand of some one Iustice of the peace, of, or neere the place where he landed, setting downe therein the place and time, where, and when he landed, and the place of the parties dwelling, or bytch, vnto which he is to passe, and a convenient time therein to be limited for his passage, shall and may without incurring the daunger and penaltie of this Act, in the vsuall wayes directly to the place vnto which he is directly to passe, and within the time

time in such his Testimoniall limited for his passage, atke and re-
ceiue such reliefe, as shall be necessarie, in and for his passage. 39.
Eliz. 4.

15 Provided also, that this statute, nor any thing therein contain-
ed, shall extend to any Childzen under the age of vii. yeeres: Nor to
any such Glassemen as shall be of good behauiour, and doe trauaile in or
through any Countie without begging, hauing licence for their tra-
uelling vnder the handes and seales of three Iustices of the peace of the
same Countie, where they trauell, whereof one to be of the Quorum.
39. Eliz. 4.

Childzen un-
der the age of
vij. yeeres.

Glassemen.

16 This present Act shall be proclaimed in the next quarter Session
or Sessions in euery Countie, and in such other market Townes or pla-
ces, as by the more part of the Iustices of peace in the said Sessions shall
be agreed and appointed. 39. Eliz. 4. This Act to endure to the end of
the first Session of the next Parliament.

1 What act done by any seruant shall procure him to be punished as
a vagabond. S. Labourers 8.

2 What act done by any poore or impotent person shall cause him
to be accompted, vsed, or punished as a vagabond. S. Poore people
4. 8. 9. 16.

3 That a Souldier or Marinertaken forging or counterfaiting a cer-
tificat, shall be adiudged a vagabond. S. Captaines 24.

View.

View shall not be graunted, but in case where the view is necessarie: In what cases
As if one loose land by default, & he that looseeth, bringeth a writ to view is gran-
demaund the same land: And in case where one by an exception dilatorie, table, and in
abateth a writ after the view, as by nontenure, or misnaming of the what not.
towne, or such like, if he purchase an other writ, in this case and in the
case before mencioned, the view shall not be graunted, if he had view in
the first writs. In a writ of Dower, where the demaund is of land that
the husband aliened to the tenant, or his auncestors, where the tenant
ought not to be ignorant what land the husband did alien to him or his
auncestor, though the husband died not seised, yet view shall not be gran-
ted. In a writ of Entre also that is abated, because the demaundant mis-
named the entre, if he purchase an other writ of Entre, if the tenant
had view in the first writ, he shall not haue it in the second. In all writs:
also where lands be demaunded by reason of a Demise made by the de-
maundant or his auncestour vnto the tenant, and not to his auncestour
as that he demised to him being within age, not whole of minde, be-
ing in prison, and such like, view shall not be graunted: But if the demise
were:

were made to his auncestour, the view shall lie as it hath done before.
West. 2. 13. Ed. 1. 48.

Villenage and Villaines.

Commissions
to inquire of
misdemeanors
of villaines.

Villenage may be pleaded, and a Villaine may be seised by his Lord, though the villaine haue a writ of Libertate probanda hangnig. 25. Ed. 3. 18. Upon their Lordes request speciall commissions shall be granted to the Iustices of peace, or other sufficient persons to inquire of villaines which doe vse themselves rebelliously, and will not be iustified by their Lordes. And also of their counsellors and maintainors, which Commissioners shall haue power, to heare and determine the same, and to imprison the offendors. 1. R. 2. 6.

Villaines su-
ing their lordes.

2 Though any mans villaine doe flie into any citie, towne, or place in- franchised, and doe saine any suit against his Lord, to the intent by that meanes to become free, yet the Lord shall not be barred of his villaine, because of his answere in law. 9. R. 2. 2.

Cognisance of
villenage.

3 No writ shall be abated by an exception of cognisance of villenage, if the demaundant will auerre that he which alleaged the exception was free the day of the writ purchased. 37. Ed. 3. 17.

Vitailles, Vitailers.

Vitailles
brought to
London.

Every man that bringeth vitailles whatsoever they be, to the Citie of London, by land or by water, may freely sell the same to whom it shall please him, without being interrupted or impeached by any Fisher, Butcher, Pulter, or any other whatsoever. And the Mayor and Aldermen of the said Citie may rule & redresse the defaults of Fishers, Butchers, and Pulters, as they doe of those which sell bread, ale, or wine. 31. Ed. 3. 10. 7. R. 2. 11. S. Merchants 1.

Aliens bring-
ing in vitaille
may sell them
in grosse, or by
retaille.

2 All Forreins and Aliens being in friendship with the Queene and the Realme, and comming within the Citie of London, and other Cities, Boroughes, and Townes within the Realme, aswell within liberties, as without, with fish and all other vitailles, and there tarying and returning againe to their owne Countries, shall be vnder the Queenes safegard, and speciall protection. And it shall be lawful to them, & euery of them to cut their fish, & vitailles in pieces and in part, by retaille, or in grosse, as it shall seeme best vnto them to sell the same, and make their profite thereof without the hinderance or contradiction of any man. 6. R. 2. 10. 1. H. 4. 17. And if any man disturbe any Forreine or Alien to sell their fish in grosse, or by retaille, in part, or in the whole, contrarie to the foresaid ordinance, and is thereof attainted at the Queene, or the parties suite, he shall forfeite xl. pound: And he that will sue for the Queene, or for himselfe shall haue the one halfe, and the Queene the other. And he that will sue for the Queene or himselfe, for any offence committed within the Citie of London, contrarie to the foresaid statute, may sue in what Countie he will of the Counties of Middlesex, Hartford, Essex, Kent, Surrey, or in the Citie

of London, 14. H. 6. 6. S. Merchant 1.

3 Vitailers shall haue reasonable gaine, and no more, according to the limitation & discretion of the Iustices of peace, vpon pain to be grieuouly punished after the discretion of the same Iustices where no pain is limited in certaine, 13. R. 2. 8. The prices of vitailles assigned by the Iustices of peace.

4 Butchers, Fishmongers, Hostlers, Brewers, Bakers, Pulsters, and all other sellers of all maner of vitaille, shall be bound to sell the same vitaille for a reasonable price, hauing respect to the price that such vitaille is sold at in the places adioyning, so that the same sellers haue a moderate gaine, & not excessive, reasonably to be required, according to the distance of the place from whence the said vitailles be caried, and if any sell such vitailles in any other maner, and thereof be conuict, he shall pay the double of the same, that he so receiued to the partie damnified, or in default of him, to any other that will pursue in his behalfe. And the Maiors, and Bailifes of Cities, Boroughes, merchant Townes, and the Ports of the Sea, and other places, haue power to inquire of all and singular which shall in any thing offend the same, and to leuie the said paine to the vse of them at whose suite such offendours shall be conuict. And in case the same Maiors and Bailifes be negligent in doing execution of the premisses, and thereof be conuict before the Queenes Iustices, then the same Maiors and Bailifes shall be compelled by the same Iustices to pay the treble of the thing so sold, to the partie damnified, or to any other in default of him that will pursue: And also shall be grieuouly punished by the Queene. 23. Ed. 3. 6. Vitailles shalbe sold at reasonable prices.

And no person other then such Maiors, Bailifes, or Gouvernors, before rehearsed, hauing franchises, and surueying of vitailles, and correction of the same, or other intituled by point of charter, shall by colour of any letters patents vse any office of surueying, or correcting of vitailers within any Cities, Boroughes, or other places, vpon paine of forfaiture for enery default to the Queene and Informer xl. pound, to be recovered by A. of debt, wherein no C. E. D. &c. 12. Ed. 4. 8. Surueyors & correctors of vitailers.

5 Upon euery complaint made of any enhaunsing of prices of Cheese, Butter, Capons, Hens, Chickens, and other vitailles necessarie for mens sustenance, without cause reasonable, in any part of the Queenes dominions, the Lord Chaunceloz, the Lord Treasorer, the Lord President of the Queenes Counsell, the Lord Priuie seale, the Lord Steward, the Lord Chamberlaine, and all other Lords of the Queenes Counsell, the Treasorer, and Comptroller of the Queenes house, the Chaunceloz of the Duchie of Lancaster, the Queenes Iustices of either Bench, the Chaunceloz, Chamberlaines, vnder Treasorer, and the Barons of the Queenes Eschequer, or seauen of them at the least, whereof the Lord Chaunceloz, the Lord Treasorer, the Lord President of the Queenes Counsell, or the Lord Priuie seale, to be one: haue power from time to time, as the case shall require, to set & take reasonable prices of all such kindes of vitailles The prices of vitailles assigned by the D. Councillors & Officers.

Vitailes, Vitailers.

aboue specified, how they shall be sold in grosse, or by retaile, for reliefe of the Queenes subiects, and after such pices set and taxed in forme aforesaid, proclamation shall be made in the Queenes name, vnder the great Seale, of the said pices, in such part of this Realme, as shall be conuenient for the same. 25. H. 8. 2.

6 All fermors, owners, broggers, and all other vitailers keeping any of the kinds of vitailes afoze rehearsed, to the intent to sell, shall sell the same to such the Queenes subiects, as will buy the, at such pices as shall be set by the said proclamation, vpon the paines to be limitted in the said proclamation to be forfeited, & leuied to the Queenes vse, in such wise as by the same proclamation shall be declared. 25. H. 8. 2.

7 This Act shall not be hurtfull to Maiors, Bailifes, or other Officers of Cities, Boroughes, & Townes corporate, nor to any persons, or bodies politique hauing authoritie to set pices of such vitailes, or of any of them, but they and euery of them may set pices thereof, as if this Act had neuer bin made. 25. H. 8. 2.

8 No person or persons (vnesse it be by licence vnder the Queenes great Seale) shall carrie or conuey, or cause to be carried or conueyed any Cozne, Beeces, Buttons, Aleales, porkes, butter, capons, hens, chickens, or other vitailes necessarie for mens sustenance, to any the parts beyond the Sea, (except onely for vitailing of Masters, Mariners, & Merchants of ships passing the Seas: And also except barrelled Butter & Meale to be carried to the parties of Ireland, as hath bin accustomed) vpon paine of forfeiting of the value of the thing carried contrarie to this Act, to the Q. and H. &c. to be recovered by A. H. &c. wherein no T. A. C. H. &c. 25. H. 8. 2. For the transporting of Cozne. S. Corne. 1. 2. 6. 7.

9 No Officer in a Citie or Borough, which by reason of his office ought to keep the Assise of wines & vitailes, so long as he shall be in office shall sell wine or vitailes in grosse, or by retaile, vpon paine to forfe. the thing sold to the Queene, whereof the third part shall be deliuered to him that sued the offender. 12. Ed. 2. 6. Vnt whensoever any vitailer is chosen to beare any office within any Citie, Borough, or Towne corporate, which for the time that he shall be in such office should haue the assessing & correction, for selling of vitailes, then two discret and honest persons of the same Citie, Borough, &c. neither of them being a vitailer, shall be chosen by the Communitie of the same citie, borough, &c. in like forme as the said Officer shall be chosen: which two persons with the said Officer shall be sworn truly to selle and set the pices and assises of vitaille there for the time that any such vitailer shall abide in the said office: And then it shall be lawfull to euery of the said Officers, after the same vitailes be set and assessed by the same Officer, and the said said two persons, or one of them, (the other being absent) to marchant & sell wines, and all other vitailes in grosse, and at retaile, during the time he shall be in any such

office,

They which haue vitailes to sell, must sell them at the price taxed.

Head officers of corporate townes may set pices of vitailes.

No vitailes shall be transported without licence.

Now the pices of vitailes shall be assessed when a vitailer is chiefe officer.

Vniuersities. Voucher, & Counterplea of Voucher. 356

office, without any thing therefore to forsaie. The foresaid statute of 12. Ed. 2. or any other statute notwithstanding. An. 3. H. 8. 8.

10 But this Act shall not extend to discharge any minister of the cities of London, Yorke, & Couentrie, nor none of them, for any wine or vi-
London, Yorke, Couentrie.
taile, to be sold by any retaille within any of the said Cities. 3. H. 8. 8.

1 A remedie against conspiracies made by vitailers for selling their vitale. S. Artificers 1. 2. Corporations 7.

2 That no vitailer shall be a taker for the Queenes carriage. S. Purueyors 12.

3 When, and in what cases Corne and other Vitale may be transported, and when not. S. Corne.

4 That it is Felonie to conuey away vitailles, prouided for the vitailing of Souldiers. S. Armour 12.

Vniuersities.

That no Gouvernour of any Colledge in either of the Vniuersities shall make any Lease of their landes, but shall reserue thereupon the third part of their old rent in Corne. S. Leases 4.

2 In what cases the Queenes Purueyors be restrained to take vitailles within five miles of either of the Vniuersities, and in whatnot. S. Purueyors 32. 33. 34.

3 That the Chauncelor, Vicechauncelor, and Commissarie of the Vniuersities, with two Iustices of peace, may inquire of the default of Purueyors. S. Iustice of peace 60.

Voucher, and Counterplea of Voucher.

When any demaundeth land against an other, and the partie that is impleaded voucheth to warrantie, and the vouchee denieth his warrantie, in this case, like as the tenant should loose the land in demaund in case where he vouched, and the vouchee could discharge himselfe of the warrantie: In the same wise shall the vouchee loose in case where he denieth his warrantie, and it be found and tried against him that he is bound to warrantie. And if an Enquest be depending betweene the tenant and the vouchee, and the demandant doth desire a writ to cause the Iurie to appeare, it shall be graunted vnto him. West. 2. 13. Ed. 1. 6.

2 In a writ of Mortdauncester, of Cosinage, of Aiel, Nuper obiit, of intrusion, and other like writs whereby lands or tenements are demanded, which ought to disceind, reuert, remaine, or escheat by the death of any auncestor, or other wise, if the tenant vouch to warrantie, and the demandant counterpleadeth him, and will auerre by Assise, and by the countrie, or other wise, as the Court will award, that the tenant or his auncestour (whose heire he is) was the first that entred after the death of him whose seison he demaundeth, the auerrement of the demandant shall be receiued, if the tenant will abide therupon, & if not, he shall be further compelled to au-

A tenant impleaded voucheth, the vouchee denieth the warrantie.

Voucher, and Counterplea of Voucher.

other answer. And in a writ of Right, if the tenant vouch to warrantie, and the demandant will counterplead him, and be readie to auerre by the countrie, that he that is vouched nor his ancestors had neuer seison of the land or tenement demanded, fee or seruice by the hands of the tenant or his ancestors, since the time of him of whose seison the demandant declareth, vntill the time that the writ was purchased, and the plea moued, whereby he might haue infeoffed the tenant or his ancestors, then shal the auerrement of the demandant be receiued, if the tenant will abide thereupon, and if not, the tenant shal be further compelled to an other answer. West. 1. 3. Ed. 1. 39. And whatsoeuer tenant do vouch, and the demandant will auerre in forme aforesaid, his auerrement shall be admitted whither the partie vouched be absent or present without any respect had thereunto. An. 20. Ed. 1. Stat. de vocatis ad warrantum.

3 In all writs of Entre which make mencion of degrees, none shall vouch out of the Line, or in other writs of Entre, where no mencion is made of degrees, which writs shall not be maintained but in cases where the other writs of degree cannot lie nor hold place. An. 31. Ed. 1. 39.

4 If percase the tenant hath a deede that compriseth warrantie of an other man, which is bound in none of the cases aforesaid to warrantie of an elder degree, his recouerie shall be saued vnto him by a writ of Warrantia charte out of the Chauncerie when he will purchase it, but the plea shall not be delaied therefore. West. 1. 31. E. 1. 39.

5 If the tenant will vouch to warrantie a dead man, and the demandants will auerre that the vouchee is dead, or that there is none such, their auerrement shall be receiued without moze delay. 18. Ed. 3. 18.

6 If one being impleaded in the Citie of London doe vouch a forein to warrantie, the Maioz and the Bailifes shall adiourne the parties before the Iustices of the Bench at a certaine day, and shall send their record thither, and the Iustices shall cause the warrantoz to be summoned before them, and shall trie the warrantie. And the Maioz and the Bailifes shall surcease in the meane time in the matter that dependeth before them by writ, vntill such time as the warrantie be determined before the Iustices of the Bench: And when the matter shall be determined, commandement shal be giuen to the vouchee to depart vnto the Citie, and to answer vnto the first plea, and the demandant at his suite shall haue a writ from the Iustices of the Bench vnto the Maioz and Bailifes, that they shall proceede in the plea: And if the demandant recouer, the tenant shall come to the Iustices of the Bench, and haue a writ to the Maioz and Bailifes, that in case the tenant haue lost his land, they shall cause it to be extended, and returne the same extent vnto the Bench at a certaine day, and after it shall be commanded to the Shirife of the shire where the warrantoz was summoned, that he shall cause the tenant to haue of the lands of the warrantoz to the like value. And if it fortune that the tenant make

default

Vouchee in writs of Entre.

Warrantia charta.

Voucher of a dead man.

One impleaded in London doth vouch a forein.

default at the day that is assigned him in the Bench, then shall there goe forth a writ from the Iustices of the bench to the Maior and Bailifes to seise the land demaunded into the Queenes handes by petie Cape, and to summon the tenāt that he be at the hoistings at a certaine day, whereat the Iustices shall be aduised to giue iudgement vpon the same default if he cannot saue it: and if he can saue it, then the Iustices shall be certified thereof by their record, and by the same record they shall pleade the warrantie. Gloucest. 6. Ed. 1. 12. Anno 9. Ed. 1. Articul. Stat. Gloucester.

1 Where the feoffor may be vouched by reason of the words, Dedi & Concessi in his deede. S. Warrantie.

Vpholsters.

NO person shall make, to the intent to sell, or offer to be sold, anie featherbed, bolster, or pillow, except the same be stuffed with drie pulled fethers, or cleane downe onely, without mingling of scalded fethers, fen downe, thistle downe, sand, lime, grauell, unlawfull or corrupt stuffe, haire, or any other, vpon paine of forfaiture of all such featherbeds, bolster, and pillowes, and euery of them so offered to be sold, or the value thereof to the D. and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 11. H. 7. 19. 5. Ed. 6. 23.

What stuffe
shalbe put in
featherbeds, bol-
sters, pillowes,

2 No person shall make, to the intent to sell, or offer, or put to sale, anie Quilt, Matresse, or Cushions, which shall be stuffed with any other stuffe then fethers, wooll, or flocks alone, vpon paine of forfaiture of all and euery such quilts, matresses, or cushions so sold or offered to be sold, or the value thereof to the D. and J. to be recouered by A. J. &c. wherein no W. &c. E. P. &c. 11. H. 7. 19. 5. Ed. 6. 23.

What stuffe
shall be put in
quilts, matres-
ses, cushions.

Vses.

Where any person or persons be or shalbe seised of, & in any manors, lands, tenements, rents, seruices, reuerfions, remainders, or other hereditaments, to the vse, confidence, or trust of any other person or persons, or of any bodie politike by reason of any bargaine, sale, feoffement, fine, recouerie, couenant, contract, agreement, will, or otherwise by anie meanes whatsoever: In euery such case, euery such person and bodie politike, that haue or shal haue any such vse, confidence, or trust, in fee simple, fee taile, for terme of life, of peeres, or otherwise, or any vse, confidence, or trust in remainder, or reuerter, shall stand & be adiudged in lawfull seison, estate, & possession, of, & in the same lands &c. and hereditaments with their appurtenances, to all intents, of & in such like estates, as they had or shall haue in vse, trust, or confidence, of, or in the same. And the estate, title, right, & possession that was in the that were, or shalbe seised of any lands, tenements, or hereditaments, to the vse, confidence, or trust of any other, shalbe adiudged to be in him, or them, that haue, or shall haue such vse &c. after such maner and condition, as they had before, in or to the vse &c. that was in them, 27. H. 8. 10.

The estate in
possession con-
ued to him
that hath the
vse.

Assurance made
to diuers to the
vse of one of
them.

2 Where diuers persons be, or shall be jointly seised of and in anie lands, tenements, rents, reuerfions, remainders, or other hereditaments, to the vse, confidence, or trust of any of them, that be so jointly seised, then he or they, which haue, or shall haue any such vse &c. shall haue only to him or them such estate, possession and seison of and in the same lands or other hereditaments in like maner, condition and course, as he or they had before in the vse of the same lands &c. 27. H. 8. 10.

Sauing of o-
ther mens
right.

3 Sauing to all and singuler persons, and bodiees politike, their heirs and successours, (other then those which be or shalbe seised of any lands &c. to any vse,) all such right, title, entre, interest, possession, rents, and action, as they, or any of them had, or might haue had before the making of this act, And also sauing to all and singuler those persons and to their heirs, which be, or shalbe seised to any vse, all such former rights, titles, interest, possession, rents, customes, seruices, & actions, as any of them might haue had to his owne vse, in or to any manors, lands, tenements, rents, or hereditaments whereof they be or shall be seised to any other vse, as if this act had neuer been made. 27. H. 8. 10.

Land assured to
the vse that rēt
should be paid
out of the same.

4 Where diuers persons be seised of, and in any lands, tenements, or hereditaments in fee simple, or otherwise, to the vse or intent, that some or ther person or persons shal haue yerely to him or them, and to his or their heirs one annual rent out of the same landes &c. and some other one other annual rent to him & his assignes for terme of life, yeres, or for some other speciall time, according to such vse as hath been heretofore declared: in euery such case the same persons, their heirs & assignes that haue such vse, & interest, to haue any such annuall rents out of such lands &c. shalbe adiudged to be in possession of the same rent, of and in such like estate as they had in the title, interest, or vse of the said rent, or profit, and as if a sufficient grant, or lawfull conueiance, had been made and executed to them by such as were or shalbe seised to the vse of any such rent, And all such person and persons as haue or hereafter shall haue any title, vse, and interest, in or to anie such rent or profite, shall lawfully distraine for nonpaiment of the same rent, and in their owne names make auowries, or by their bailiffs or seruants make cognisances and iustifications, and haue all other suites, entries, and remedies for the rents, as if the same rents, had bin actually and really granted to them with sufficient clauses of distress, reentrie or otherwise, according to such conditions, pains, or other things appointed vpon the trust and intent for paiment, or suerty of such rent. 27. H. 8. 10. V. Dier Fol. 362.

Vsurie.

Selling of
wares & buy-
ing them again

NO person or persons, of what estate or degree soener hee or they be, shall by himselfe, factor, atturney, seruant or deputie, sell his marchandizes or wares to any person or persons, and within thre moneths next after by himselfe, factor, atturney, deputie, or by anie other to his vse

use buy the same marchandises or wares or anie parcell thereof, vpon a lesser price, knowing them to be the same, that he before did so bargain or sell, vpon the paines and forfeitures hereafter limited in this statute, 37.Hen.8.9.

2 No person or persons of what estate &c. by way of any corrupt bargain, lene, exchange, cheuifance, shift, interest of any wares, marchandise, or other things whatsoever, or by anie other corrupt or deceitfull way or meane, or by anie couin, Tugin, or deceitfull way of conuicance, shall haue, receiue, or take lucre or gains, for the forbearing or giuing daie of paiement of one whole yeere, of, and for his money or other thing that shalbe due for the same wares, marchandises, or other things aboue x.l. in the C. and so after the rate and not aboue, of, and for a more or lesse summe, or for longer or shorter time, & no more greater gain or summe thereupon to be had: vpon the paines and forfeitures hereafter limited &c. 37.H.8.9.

No man shall take aboue x.li. for the forbearing of C.li. for one yeere.

3 If anie person or persons doe bargain and sell, or lay to mortgage by any waies or meanes, any manors, landes, tenements, or hereditaments, to any other vpon condition of paiement, or non paiement of any summe or summes of money to be made at any day certaine, or before any such day, by him that shall so bargain, sell, or lay to mortgage the same lands, &c. the same person or persons to whom any such lands, &c. shalbe so bargained, sold, or laid to mortgage, shall not by reason thereof, haue ne take in lucre, or gaines of the issues, reuenues, and profits of the same lands, &c. aboue x.l. in the C. for one whole yeere, and so after the rate abouesaid, for a more or lesse summe, for a longer or shorter time, and no more, or otherwise, vpon the paines and forfeitures hereafter limited, 37.H.8.9.

None shall take aboue x.li. for the forbearing of C.li. for a yeere vpon sale or mortgage of lands.

4 If any person or persons shall do any act or thing contrarie to the tenor, forme, and effect of this statute, or any clause, article, or sentence contained in the same, then all and euery offendor and offendors therein or in any part thereof, shall forfait for euery such offence the treble value of the wares, marchandises, and other thing or things so bargained, sold, changed or shifted, and the treble value of the issues and profits of the said lands, tenements, and hereditaments, so taken, had, or receiued by reason of any such bargain, sale, or mortgage, to the Q. and J. to be rec. by A. J. &c. wherein no W. E. P. &c. And also shall suffer imprisonment of his body, and make fine and rancome at the Queenes pleasure, 37.H.8.9.

The forf. of the offenders in the premises.

5 But this act shall not extend to any lawfull obligation indorsed with a condition, nor to any statute or recognisance made for the paiement of a lesse summe, so that the same be made for a true, iust & a perfect debt, or for the performace of any other true covenants made between the parties, other then in cases of vsury, interest, corrupt bargaines, shift or cheuifance, Ne yet shall extend to any recouery, fine, feoffement, release, confirmation,

To these bands and assurances the stat. extendeth not.

mation, or grant made vpon condition, with a true intent, other then to such as shalbe made vpon condition extending to vsurie, interest, corrupt bargaines, shiftes, or cheuisance. Any thing in this act contained, or anie other statute &c. 37. H. 8. 9.

All assurances whereby aboue x. li. in the C. li. shalbe reserued are void.

6 All bands, contracts, and assurances collaterall or other, to be made for payment of any principall, or money to be lent, or couenant to be performed, vpon, or for any vsury in lending, or doing of any thing against the said act of 37. H. 8. vpon or by which lone, or doing, there shalbe reserued or taken aboue the rate of x. P. for the C. for one yere, shalbe utterly void, and the same statute of 37. H. 8. shall be most largely and strongly construed for the repressing of vsurie and against all persons that shall offend against the true meaning of the said statute, by any way or deuise directly, or indirectly. 13. Eliz. 8. 39. Eliz. 18.

Brokers, Solicitors, & Diuers of bargaines.

7 All Brokers, Solicitors, and Diuers of bargaines, for contracts, or other doings against the said statute 37. H. 8. whereupon shall be reserued or taken more then after the rate of x. P. for the lone of C. P. for a yere, shall be to all intents iudged, punished and vsed as counsellors, attornies, or aduocates, in any case of Premunire. Ann. 13. Eliz. 8. 39. Eliz. 18.

He that taketh x. li. or lesse in the C. shall forfeit the interest onely.

8 All vsurie, loane, and forbearing of money, or giuing daies for forbearing of money, by way of loane, cheuisance, shifts, sale of wares, contract, or other doings whatsoever, for gaine, mencioned in the said statute of 37. H. 8. whereupon is not reserued or taken or couenanted to be reserued, paid, or given, to the lender, contractor, shifter, forbearer, or deliuerer, aboue the summe of ten pound for the loane, or forbearing of a hundred pound for one yere, or after that rate for a more, or lesser summe or time, shall be punished in forme following, viz. Euery such offender against this branch of this present statute shal forfeit so much as shalbe reserued by way of Usury aboue the principall, for any money so to be lent or forbore, all such forfeitures to be recouered and employed, as is limited for forfeitures by the said former statute of 37. H. 8. And euery person offending in vsury, shifts, or cheuisance against this act, and not taking but only after the rate of x. P. in the C. or vnder for a yere, shalbe onely punished by the pains and forfeitures provided by this act, against such as shall not take aboue the rate of x. P. in the C. for a yere and not otherwise. 13. Eliz. 8. 39. Eliz. 18.

Punishment by the ecclesiasticall law.

9 If any person shall offend contrary to the said stat. of 37. H. 8. then he shall and may also be punished according to the ecclesiasticall lawes heretofore made against vsury. 13. Eliz. 8. 39. Eliz. 18.

Orphanes.

10 This statute doth not extend vnto any allowances for the finding of Orphanes, according to the ancient customes of the citie of London, or any other citie, where like order is for the custodie of Orphanes and their goods, as is in the said citie. 13. Eliz. 8. 39. Eliz. 18.

Wager of lawe.

NO Bailife shall put any man to his open law, nor to his oth, upon his own bare report, without faithful witnesses brought in for the same. *He that waget his lawe, must bring others to sweare with him.*
Mag. Chart. 9. H. 3. 28.

2 If any person be grieved or attached by his bodie in London by any of the same citie, surmising the defendant to be his debtour, and that he will proue by his papers, hauing neither deede nor taile, in this case the defendant shall be receiued to his law, by people of his owne condition against such papers, and the creditor shall take suerty by some other way if he will, without putting the party to plead to an enquest, if he will not of his owne good will. 38. Ed. 3. 5. But by the custome of London, if the debtour set his hand to the creditors booke, he cannot wage his law, And the customes of the same citie be confirmed by 14. Ed. 3. 1. and diuers other statutes.

A man may wage his lawe against Londoners papers.

3 In an action of debt brought upon the arrerages of accompt, the Justices of the Queenes court and other Justices before whom such suits and actions shall be in cities and boroughs sued and taken, haue power to examine the Attornies & other whom it please them, and thereupon to receive the defendants to their law, or to trie the matter by enquest, according to the discretion of the same Justices and Judges. 5. H. 4. 8.

Wager of lawe in debt vpon the arrerages of accompt.

Wales.

The D. countrey or dominion of Wales shall stand and continue for ever incorporated, united, & annexed, to and with this realme of England, and al and singuler person and persons bozne & to be bozne in the said principalltie, countrey, or dominion of Wales, shall haue, enioy, & inherit all and singuler freedoms, liberties, rights, priuiledges, and laws, within this realme, & other the D. dominions, as other the D. subjects naturally bozne within the same, haue, enioy, and inherit, and the lawes, ordinances and stat. of this realme of England for ever, and none other, shall be had, vsed, practised, & executed in the said countrey or dominion of Wales and euery part thereof, in like maner, forme, and order, as they be & shall be in this realme, and in such like maner and forme as hereafter shall be further established and ordained. 27. H. 8. 26.

Wales annexed to England. English lawes vsed in Wales.

2 The D. dominion, principallty, and countrey of Wales is diuided into xii. shires, of the which eight haue bin shires of long & ancient time, viz. Glamorgan, Carmarthin, Pembroke, Cardigan, Flint, Caernauan, Anglesey, and Merioneth. And 4. were newly ordained by the stat. of 27. H. 8. 26. viz. Radnor, Brecknock, Powtgomery, & Denbighe, ouer and beside the shire of Monmouth, and diuers other dominions, Lordships, & manors in the marches of Wales, united & annexed to the shires of Salop, Hereford, and Gloucester, and ouer and besides the town of Hauerford West which is a countie in it selfe. And the limitations of hundreds made within the said shires by vertue of the commissions of R. Henrie the 8. directed

Wales diuided into shires and hundreds.

rected out of his court of Chancery, and again returned into the same, shall stand in full strength & force, according to the said limitation, except such of the same, as sith that time hath beene altered by vertue of any acte of Parliament. 26. H. 8. 26. 34. H. 8.

President and
Counsell.

3 There shall be, and remaine a President and counsell in the said dominion and principality of Wales and the marches of the same, with all officers, Clerkes, and incidents to the same, in maner and forme as hath bin heretofore used, which President and counsell shall haue authorizty to heare and determine by their discretions, such causes and matters as be or hereafter shall be assigned to them by the Queene &c. as heretofore hath bin used, 34. H. 8.

Sessions twice
in the yere.

4 There shall be kept sessions twice in euery yere in euery of the said shires, in the said dominion and principality of Wales; the which sessions shall be called the Queenes great sessions in Wales. The Iustice of Chester for the time being shall hold and keepe sessions twice in euery yere in the shires of Denbigh, Flint, and Mountgomery, & haue nothing but his old fee of £. i. yerely for the same. The Iustices of Northwales shall in likewise hold and keepe sessions twice euery yeere, in euery of the shires of Carnaruan, Merioneth, and Anglesey, and shall haue of the Q. a yerely fee of fifty pound for the same. One person learned in the laws of this realme of England by the Q. to be appointed shall be Iustice of the shires of Radnor, Brecknock, & Glamorgan, and shall in likewise holde and keepe sessions twice in euery yere, in euery of the same shires, & shall haue yerely of the Q. fifty pound for his fee. One other person learned in the lawes of this realme to be appointed as is aforesaid, shall be Iustice of the shire of Carmarthen, Pembroke, and Cardigan, & of the towne and county of Wauerford west, and shall in likewise hold & keep sessions twice in euery yere, in euery of the same shires, and shall also haue yerely of the Q. fifty pound for his fee. The said persons or Iustices, and euery of them shall haue seuerall letters patents and commissions for their offices, vnder the Queenes great seale of Englad, to be exercised by themselves, or their sufficient deputies, according to the purposes and intents in their ordinances specified, 34. H. 8.

Denbigh.
Flint.

Mountgomery.

Carnaruan.
Merioneth.
Anglesey.

Radnor.
Brecknocke.
Glamorgan.

Carmarthen.
Pembroke.
Cardigan.

Wauerford.
The Iustices
commissions
vnder the
great seale.

The Q. may
appoint two
Iustices for
euery circuit,
or grant allo-
cation.

5 The Queene, her heirs & successors may & shall at her or their pleasure constitute or appoint two or more learned as is aforesaid in the laws of this realme to be Iustices, of & for the said counties of Chester, Flint, Denbigh, and Mountgomery, and two or more learned &c. to be Iustices of Northwales, viz. of and for the said shires of Anglesey, Carnaruan, and Merioneth. And likewise two or more learned &c. to be Iustices of and for the said circuit and shires of Radnor, Glamorgan & Brecknocke, and also two or more learned &c. to be Iustices of and for the said circuit and shires of Cardigan, Carmarthen, & Pembroke, and the towne & Countie of Wauerford west, any Lawe, Statute &c. notwithstanding. And her
Hailelle,

Maieſtie, her heires and ſucceſſors may and ſhall at her and their pleaſure from time to time aſſociate and graunt Commiſſion, and Commiſſions of aſſociation or aſſociations vnder the great Scale of England, to anie perſon or perſons learned, as aforeſaid, to be aſſociat to or with euerie or any ſeuerall Juſtice or Juſtices for the time being, of the ſaid ſeuerall circuits and counties aforeſaid, or in any of the ſaid counties. 18. Eliz. 7.

6 Every of the ſaid Juſtices within the limits of their commiſſions and authorities to them appointed, as is aforeſaid, ſhall hold all manner of pleas of the Crowne, at and in the ſaid ſeſſions in as large and ample manner, as the Queenes chiefe Juſtice of England, and other the Queenes Juſtices of the Kings bench there, or any of them may doe in their places or elſewhere within the realme of England. And alſo ſhall hold pleas of aſſiſes and all other pleas, and actions real, perſonall, and mixt in as large and ample manner, as the Q. chiefe Juſtice of the common pleas of England, and other J. of the ſame pleas, or any of them may do in the realme of England. And euerie of the ſaid Juſtices of Wales, ſhall haue authoritie to inquire of all treaſons, murders, felonies, riots, routs, unlawfull aſſemblies, extortions, imbraceries, maintenance, retainors, concealments, contemptes, & al other offences and euil deedes, of what natures, names, or qualities ſoeuer they be, done, committed, or perpetrated within the limits of their commiſſions & authorities, againſt the forme of the common law of the realme of England, or of any ſtat. of the ſame, and to heare and determine the premiſſes and euerie of them, and generally to miniſter common Juſtice, to all and ſingular the Q. ſubiects within the limits of their commiſſions and authorities according to the lawes, ſtatutes, & cuſtomes of the realme of England, and according to this preſent ordinance of 34. H. 8. And all and euerie ſuch two Juſtices or more, to be appointed by the Queene, her heires & ſucceſſors (according to the ſtatute made 18. Eliz.) within euerie of the ſaid ſeuerall circuits and counties. And alſo euerie ſuch Juſtice or Juſtices together with ſuch perſon or perſons aſſociat (if anie ſuch aſſociation or aſſociations ſhall happen to bee as aforeſaid) during ſuch aſſociation, and after ſuch aſſociation ended, or without ſuch aſſociation, ſuch Juſtice or Juſtices ſhall haue the like power and iuriſdiction to all intents and effects, as any one Juſtice within any of the ſaid circuittes or Shires aforeſaid, now hath, or at any time heretofore had or ought to haue. And alſo ſhal haue like power and iuriſdiction to keepe and hold the ſeuerall ſeſſions aforeſaid twice in euerie yeere, in euerie of the ſaid Shires, within their ſeuerall circuittes aforeſaid, and to heare, determine, order, adward, adiudge, receiue, take knowledge of, and execute, all and ſingular cauſes, matters, pleas of aſſiſes, treaſons, murders, felonies, indictments, appeales of murder, felony and mainmes, actions reals, perſonals, and mixt, ſuits, plaints, informations, quarels, attaints, conſpiracies, Quare impedit, and all actions groundes vpon any ſtatute or ſtatutes,

Of what things Juſtices may hold plea.

Statutes, writs, proces, retournes, essoines, verdicts, iudgements, fines, acknowledges, confessions, warrants; and executions, actions, and acts whatsoever, and to doe, performe, obserue, accomplish, and make all and euery other act and acts, matter and matters, thing and things whatsoever, in like, and in as ample, beneficial, lawfull, and effectuall maner and forme, to all constructions, qualities, intents and purposes, as any of the now seuerall Iustices, or any one of the now Iustice or Iustices within the same seuerall circuit or circuites and Counties aforesaid, may, ought, hath, or might lawfully do, by force of any law, vsage, or statute heretofore had, made, or vled before the making of this act. And all and singular writs, proces, retournes, essoines, verdicts, iudgements, fines, recoueries, recognisances, acknowledges, confessions, act and acts, thing and things, matter and matters, as aforesaid, had, made, taken, done, returned, heard, determined, awarded, adiudged or executed, by, or before any such two Iustices or more, or any such Iustice or Iustices, & associat or associates as aforesaid, to be appointed, nominated, authORIZED, or constituted as aforesaid, shall be allowed, taken, construed, expounded, and adiudged, as good, effectuall, and auailable to all intents, constructions, and purposes, as if the same had been had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed, by, or before any such one Iustice, or one of the Iustices now, or late being Iustice or Iustices of the same circuit or seuerall circuites aforesaid: any law, vsage, statute &c. notwithstanding. 18. Eliz. 7.

Sessions kept
vi. dayes.

7 Euery of the said Sessions shalbe kept and continued by the space of vi. dayes in euery of the said Shires, at either of the said times, as is and hath been vled within the said three Shires of Northwales. And the said Iustices shall cause open proclamations to be made in the shire Townes, what time and place they purpose to keepe their said Sessions, fifteene dayes at the least before they keepe the same, to the intent the Queenes subiects may haue knowledge thereof. 34. H. 8.

Proclamation
xv. dayes be-
fore the Sessi-
ons.

Dayes in
court.

8 Daies shalbe giuen in all ples, plaints, proces, and adioznmnts, from day to day, and Sessions to Sessions, by the discretion of the said Iustices within the limits of their authorities, for the good and speedie ministration of Iustice, to all and singular the Queenes subiects, as is or hath been vled in Northwales. And the issues taken before the said Iustices in ples personall, which cannot be tried before them in time of their great Sessions, for breuitie of time, shall and may be tried at a petty Sessions, before the Deputie Iustices there, as is, and hath been vled in the three Shires of Northwales, (except such of the said suites, as by the discretion of the said Iustices shall be thought necessarie, to be tried before themselves, within their limits.) 34. H. 8.

Issues tried in
petty Sessions.

Issues, amer-
ciaments.

9 The Queene shall haue all fines, issues, amerciaments, and all forfeitures of recognisances lost, or forfeited, before any of the said Iustices in

in the Sessions aforesaid. And the Prenotaries within the limits of their offices, shal verely extreat the same into the Eschequer appointed for their limit, to the intent that proces from thence may be awarded to the Sherifes to leuie the same to the D. vse, as appertaineth, which Sherifes shall verely make their accompts befoze the Queenes Auditors thereunto assigned. 34. H. 8.

10 One originall Seale deuised by the Queene for Justice to be Mini- ^{Original}
nistred in the said three shires of Northwales, viz, the shires of Merioneth, ^{Seales.}
Carnaruan, and Anglesey, shalbe and remaine in the charge and custody of the Chamberlain of Northwales. And one other originall Seale &c. for the said shires of Carmarthen, Penbroke, and Cardigan, shall be and remaine in the charge and keeping of the Chamberlaine of Southwales. And likewise one other originall Seale &c. for the said three Shires of Brecknocke, Radnor, and Glamorgan, shall bee and remaine in the charge and custodie of the Steward and Chamberlaine of Brecknocke. And also one other original Seale &c. for the said Shires of Denbigh and Mountgomery, shall be and remaine in the charge and custodie of the Steward and Chamberlaine of Denbigh. And the original Seale of Chester, shall be and stand for the original seale of Flint, for Justice to be ministred in the said shire of Flint, and shalbe and remaine in the charge, keeping, and custodie of the Chamberlaine of Chester. 34. H. 8.

11 The said Stewards and Chamberlaines, shal Seale with the said ^{What shalbe}
Seales, that is to say, euery one of them shal seale with the Seale to his ^{sealed with the}
charge committed, all maner of originall writs and processe, returnable ^{original seales.}
befoze the said Iustices, at the Sessions to be holden in euery of the said shires, in maner and forme as is aforesaid. And shal seuerally accompt and answer to the D. for the profits of the same Seale. And none of the said Stewards, Chamberlains, or Chancelors, hauing the charge and keeping of the said seales, shal by occasion thereof, or by color of any of their offices, compel, or cause any person, inhabiting within any of the said xii. shires, to appeare befoze themselves, or their deputies. Ne shal haue power to heare or determine any ples of the Crowne, nor other causes or matters of Justice otherwise then in this ordinance is limited: But shal haue the charge and keeping of the said seales, to Seale all original writs and processe, as shalbe returnable befoze the said Iustices in their said Sessions, as is afoze specified, & as hereafter shalbe declared, which writs & proces shalbe vsed, made, sealed, and returned in maner and forme, as hath bin vsed befoze the Iustices in Northwales. 34. H. 8.

12 All such persons as be or shalbe the Queens Stewards, Chamber- ^{Proces against}
laines, or Chancelors, within any of the said xli. Shires, which by reason ^{accountants.}
of their said offices, haue charge for the receit, collection, or accompt, of, and for the Queenes rents, reuenues, farmes, or profits, to be due to her Maiesty within the said dominion of Wales, may direct processe vnder
A a a the

the said seale being in their charge and custodie, within the limits of their authorities, onely against Bailifes, Reeues, farmers, and other ministers accomptant, to appeare before themselves, to answer to and for any the Quenes reuenues, farmes, rents, or profits, and for none other causes, nor against any other person or persons, in like maner, as they haue bin accustomed in that case to do. 34. H. 8.

4. Judiciall
seales.

13. Besides the said original Seales, there shall be foure Judiciall Seales deuised by the Q. whereof one shall remaine with the Iustice of Chester, which is appointed to be Iustice of Flint, Denbigh, & Mountgomery, to be vsed within the said shires, to seale all Judiciall proces, and bills that shall be sued before the said Iustices in the Sessions to be holden within the same shires. And one other of the said iudicial seales shall likewise remaine and be in the charge and custody of the said Iustice of Northwales. And the third of the said seales shall be and remaine in the custody & charge of the Iustice of the three shires of Glamorgan, Brecknock, and Radnor. And the fourth of the said seales, shall remaine in the charge and custody of the Iustice of the said three shires of Penbroke, Carmarthen, & Cardigan. And the said Iustices shall seale with the said iudicial Seales, viz. euery of them with the seale committed to his charge and custody, as well all bills, as all other Judiciall proces, that shall be sued before them in the said sessions, upon any original bills or writs. And all other proces that shall be awarded from any of the said Iustices, shall be sealed with the said Judicial Seale. 34. H. 8.

What shall be
sealed with the
Judicial seales

Iustices ac-
count for the
profits of the
seales.

14. Euery of the said Iustices shall accompt and answer to the Q. for the profits of the said Seale being in his charge and custody, in maner and forme as hereafter shall be declared. 34. H. 8.

Teste of Judi-
ciall proces.

15. The Teste of euery bil and iudicial proces, that shall passe vnder the said Judicial seale, shall be vnder the name of such of the said Iustices, from whom such bil or Judiciall proces shall passe, in like maner and forme, as is vsed in the Common ples in England. 34. H. 8.

Writs sealed
with the Pri-
uie seale.

16. All actions reall and mixt, attaincs, conspiracies, assises, and Quare impedit, appeales of murder, and felony, and all actions grounded vpon any statutes, shall be sued by original writs, to be obtained and sealed with the said original Seale, returnable before the said Iustices at their Sessions, within the limits of their authorities, in maner & forme, as is before mentioned. 34. H. 8.

Personal ac-
tions of xl. s.
or aboue.

17. All maner of personal actions, as debt, detinue, trespass, accompt and such like, amounting to the summe of xl. s. or aboue, shall be sued by writs original, to be obtained and sealed, as is aforesaid, or by bills at the pleasure of the party suing the same before the said Iustices within the limits of their authorities, as is vsed in Northwales. 34. H. 8.

Personal acti-
ons vnder xl. s.

18. All personal actions, vnder the summes of xl. s. viz. debt, trespass, detinue, accompt, & such like, shall and may be sued before any of the said Iustices

ces

ces in the said sessions by bill, as is used in Northwales: (But there shall no suit be taken before any of the said Justices, by bill under xx. s.) And every original bill concerning actions personals, shall be sealed with the Judicial seal, being in the custody of the said Justice, before whom such personal actions by bill shall be brought and commenced. 34. H. 8.

No suit before
Justices under
xx. s.

19 Such fees shall be paid for the writing and sealing of such original writs and bills, as hereafter shall be expressed, viz. for the sealing of every original writ to be sued, in, and upon the causes aforesaid, and for every bill to be pursued in actions personals, wherof the debt and damages amounteth to the summe of xl. s. or above, the parties pursuing the same, shall pay for the seal of every such writ or bill, vi. d. and for every judicial proces to be sued upon any such writ or bill, the parties pursuing such Judicial proces, shall pay for the sealing thereof vii. d. wherof the Queene shall have vi. d. And the Justice sealing such judicial proces shall have i. d. And every bill in personal actions wherof the debt, dutie, or damage amounteth not to xl. s. and all manner judicial proces to be sued upon the same, shall also be sealed with the Queens said judicial seal, & the parties pursuing the same, shall pay for the seal of every such bill, and judicial proces thereupon to be sued iii. d. wherof the Q. shall have ii. d. and the Justice sealing such proces, shall have i. d. 34. H. 8.

Fees for writ-
ting & sealing
of original
writs & bills.

20 All writs of Scire facias, and writs of good abearing, or for the peace, or writs of Superedeas upon the same, and all other proces to be sued from the said Justices upon any Record or suggestion admitted by any of the said Justices within the limits of their authorities, shall also be sealed with the said judicial Seale, and the parties pursuing for the same, shall pay for the Seale of every such writ and Proces vii. d. wherof the Queene shall have vi. d. and the Justice by whom such Proces shall be Sealed one penny. And every exemplification upon any Record before any of the said Justices shall be Sealed with the Queenes judicial Seale, and the parties pursuing the same, shall pay for the Seale thereof xx. d. wherof the Queene shall have xvi. d. and the Justices sealing the same foure pence. 34. H. 8.

Proces sealed
with the judi-
cial seale, and
the fees.

Exemplifica-
tion.

21 Recoveries and fines, concordies, and warrants of attorney for the same, shall & may be taken before every of the said Justices, of lands, tenements, and hereditaments within his authority, by force of his general commission, without any writ of Dedimus potestatem to be sued for the same, in like manner & forme, as is used to be taken before the Queens chiefe Justice of her Common place in England. And all fines levied before any of the said Justices, with Proclamation made in the same Sessions that the said fine shall be ingrossed, and two other great sessions then next to be holden within the same Countrey, shall be of the same force and strength to all purposes, as fines levied with proclamation be of, that be levied before the Justices of the Common place in England. 34. H. 8.

Recoveries,
Fines.

Fines for
writs of En-
trie, and Co-
venant.

22 Every person suing writs of Entrie in the Post, or writs of Covenant, or any other writs for any recovery to be had by assent of parties, or otherwise, or for any fine to be levied, shall pay such fines to the Queenes use for the same, as well fines pro licentia cōcordandi, as all other maner of fines, as is used in the Queenes Chauncery, or elsewhere in any of the N. Courts of England: Which fines shall be paid to such persons as shall seale the originall writs for that purpose, and they shall accompt for the same, in like forme, as they shall do for the profits of the said originall seal, as is aforesaid. 34. H. 8.

Queens silver.

23 The Queenes silver upon every fine to be levied, shall be paid as is used in the Common place of England, viz. ii. s. which Queenes silver shall be paid to the Justice before whom such fine shall be levied, wherof the N. shall have xx. d. and the Protonary entring the same shall have ii. d. and the Justice before whom such fine shall be levied other ii. d. And the same Justice shall accompt for the Queenes part thereof, like as he shall for the profits of the Queenes Judicial seale committed to his charge, in maner and forme as is aforesaid. 34. H. 8.

Error.

24 All Errors and Judgements before any of the said Justices at any time of the great Sessions, in plees reals, or mixt, shall be redressed by writ of Error to be sued out of the Queenes Chancery of England, returnable before the Queens Justices of her Bench in England, as other writs of Error be in England. And all Errors in plees personals shall be reformed by bills, to be sued before the said President & Counsel of Wales from time to time, as the P. grieved will sue for the same. And if in case the iudgment be affirmed good in any of the said writs of Error, or bills, then there to make execution, and all other Proses thereupon, as is used in the Kinges Bench in England, and the pursuants in every such writ of Error or bill, shall pay like fees therefore, as is used in England. 34. H. 8.

Falſe iudg-
ment.

25 No execution of any iudgement to be given in any base Court shall be staied or deferred, by reason of any writ of false Judgement, but execution shall and may be had and made at all times before the reuerfall of the said iudgement, the pursuit of the said writ notwithstanding. And in case the said iudgement happen after to be reuerſed, then the partie pursuant shall be restored to all that he hath lost, by the said iudgement, according to the Lawes of this Realme. 34. H. 8.

Weighty cau-
ses.

26 All proses for urgent and weighty causes, shall be made and directed into Wales, by the speciall commandement of the Chancelor of England for the time being, or any of the Queens Counsel in England as hath bin used: any thing in this act &c. notwithstanding. 34. H. 8.

Protonaries.

27 There shall be foure Protonaries for the making of al Judicial proses, and for the entring of all plees, proses, and matters of Record in the Sessions, to be holden before the said Justices, wherof one of the said Protonaries shall attend upon the said Justice appointed for the three Wires
of

of Northwales. And one other shall attend vpon the Iustice assigned for the thre shires of Flint, Denbigh, and Mountgomery. And the third shal attend vpon the Iustice assigned for the thre shires of Carmarthen, Cardigan, and Penbroke. And the fourth of the said Irenotaries shall attend vpon the Iustice assigned for the thre shires of Glamorgan, Brecknocke, and Radnor. And these 4. Irenotaries, as often as their said offices shalbe void, shalbe named and appointed by the Queene, by her letters patents, vnder her great Seale of England. 34. D. 8.

28 Euery of the said Irenotaries within the limits of their Offices, ^{Irenotaries fees.} shal take such fees as hereafter be expressed, viz. for the wryting of pleses, and ingrossing of wryts of Entry in the Post, wryts of Right, Quod ei deforciat, or any wryts pursued by the assent of the parties v. s. & if it be with a double voucher, then vi. s. viii. d. and for the exemplification thereof ii. s. and for the ingrossing of fines, to haue for euery fine iii. s. iiii. d. and if it be with proclamations, then iiii. s. Item for euery bill of debt, detinue, trespass, and all other actions personals sued befoze the said Iustices in their circuits vnder the summe of xl. s. the Irenotaries shal haue for the first bill iiii. d. for the second bill iiii. d. and for the third bill iiii. d. And for the entry of euery declaration, plee in barre, replication, and reioinder, in, and vpon euery such actions, so that he doe enroll the same in parchment iiii. d. And for euery Venire facias, Tales, Habeas corpora, Distring. in the same actions iiii. d. and for the iudgement iiii. d. and for euery writ of execution, in euery such action vi. d. and for euery warrant of Atturney in euery such action, aswel for the plaintifes, as for the defendants, iiii. d. Item in all actions of detinue, trespass, and all other actions personal, wherein the duetie, debt, or damage amounteth to the summe of xl. s. or aboue, which shall be sued by bills befoze the said Iustices, the Irenotarie shall haue for the first bill iiii. d. for the second bill iiii. d. and for the third bil iiii. d. and for euerie declaration, answere, replication, and reioinder, if it be to be enrolled in parchment viii. d. and for the Venire facias, Tales, Habeas corpora, and Distring. for euery of them vi. d. for the iudgement viii. d. & for the warrant of atturney iiii. d. & for euery writ of execution vpon the iudgement in such bills vi. d. Itē in original wryts sued vpon euery action personal, returnable befoze the said Iustices, the Irenotaries shal haue for euery Iterum summon, vi. d. for euery distress in trespass vi. d. and for the declaration viii. d. for the answer, replication, and reioinder for euery of them, if they be enrolled and ingrossed, as is abouesaid xii. d. for the Venire facias, Tales, Habeas corpora, and Distring. for euery of them vi. d. & the Irenotaries shall haue for the entrie of the iudgements in euery such action xii. d. and for euery writ of execution sued vpon the same vi. d. and for the exemplification of euery record in any of the said actions ii. s. for euery warrant of Atturney iiii. d. In all actions reals and mirt, assises, Quare impedit, appeales of felony, murder, or maihem, the Irenotarie to haue for the declaration

or plaint ii. s. and for the ple in barre, repliacion, reioinder, surreioinder, for euery of them, if they be enrolled as is aforesaid, xx. d. and for the wryting of euery Venire facias, Tales, Habeas corpora, and Distring, vpon the same for euery of them vi. d. and for the entry of the iudgement in euery of the said actions and appeales ii. s. and for the wryting of the wryts of execution made vpon euery of the said actions, appeales, and assises xii. d. & for wryts of Graund cape, and Petit cape, & wryts of view, wryts vpon voucher, and all other wryts, in euery such action or actions xii. d. and for euery warrat of atturney for the defendants, or for the demandants, or plaintiffs in euery such action reall, assise, appeale, and Quare impedit iiii. d. and for the essoines in euery such action iiii. d. and for the adiournement ii. d. and for the baile of euery person of felony xii. d. and for the baile for trespass vi. d. and for the apparance and bayling of common mainpryse ii. d. Item for wryting of wryts for the peace and good abearing graunted by any of the said Iustices in their Sessions vi. d. and for the entring of euery recognisance, to be had and taken before the said Iustices, for euery cause or causes, other then before is expressed, xii. d. and if it be with condition, then ii. s. and vpon euery acquittal and deliuerance of felons or murderers by verdict, or by allowance of pardon, the Irenotaries shal haue ii. s. and if it be vpon indictments certified from the Iustices of peace before the Iustices of the great Sessions, the Clerke of the peace shal haue also xii. d. and vpon deliury of any suspect of felony or murder by proclamation, the said Irenotary shal haue xii. d. 34. H. 8.

Marshall,
Crier.

29 There shalbe a Marshall and a Crier in euery of the circuits and limits allotted to the said Iustices, which shall be named by the said Iustices within the limits of their authoritie and commission, in like maner and forme, as Iustices of assise do in England, and the said officers shall attend vpon the said Iustices in their circuits in their owne proper persons, and not by their deputies, and the Marshall shall haue vpon euery iudgement, and vpon euery fine iiii. d. and the Crier i. d. and vpon the acquittals of felons, & of them that shalbe deliuered by proclamation, or deliuered out of common mainpryse, before any of the said Iustices, the Marshall shal haue iiii. d. and the Crier a peny. 34. H. 8.

Iustices of
peace.

30 Ouer and besides the said President, and the Counsel and Iustices, there shall be Iustices of peace and Quorum, and one Custos Rotulorum, in euery of the said xii. Shires. And the said Iustices of peace, Iustices of Quorum, and Custos Rotulorum, in the said shires shal be named and appointed by the Chancelor of England, by commission vnder the Queenes great Seale of England, by the aduise of the President, Counsel, and Iustices aforesaid, or thre of them, of the which the said President to be one, from time to time, as the case shall require. And there shal not exceede the number of viii. Iustices of the peace in any of the said shires, ouer and besides the President, Counsel, and Iustices aforesaid, and the Queenes Atturney,

turney, and Soliciter: which President, Counsel, Iustices, and the D. Atturney, and Soliciter, shalbe put in euery commission of peace, in euery of the said xii. shires. 34. H. 8.

31 Such persons as shalbe named to be Iustices of peace within euery of the said shires, shalbe of good name and fame, and after they be assig- What persons may be Iustices of peace.
ned by commission, may vse and exercise the office of the Iustice of peace, albeit they may not dispend xx. li. nor be learned in the lawes of the lande, without any losse, damage, or penalties for insufficiency of their lands. And euery of the said Iustices of peace, before they shall execute the commission, shal take their othes before the Chancelor of England, or els before the Their Othes.
said President, or one of the said Iustices in Wales, by vertue of the D. writ of Dedimus potestatem, or before any other person to be limited by the Lord Chauncelor of England for that purpose, the contents of which othe shalbe after the forme, as Iustices of peace in England vse to make. 34. H. 8. S. Iustices of peace 4.

32 The said Iustices of peace, or two of them at the least, whereof one Quarter Sessions.
to be of the Quorum, shal and may keepe their Sessions within the limits of their Commissions foure times in the yere, and at other times vpon urgent causes, as Iustices of peace in England vse to do, and shall haue like power and authority in all things, and fees of the Queene for the time of their sitting, as wel for themselves, as for their clerkes, and shalbe bound to vse & to do their offices, in like maner as is vsed in England 34. H. 8. S. Iustices of peace 5. 6.

33 No Iustices of peace, Clerke of the peace, nor other Clerke of any Fees of the Iustices, and Clerkes of the peace.
Iustices of peace in Wales, shall take for the writing of any warrant of the peace or good abearing, aboue vi. s. and for the entring of pledges or borowes to pay the Queenes fine vpon any Indictment ix. s. and if it be with protestation, then to take xii. s. for a Superseas not aboue viii. s. and for a Recognisance xii. s. 34. H. 8.

34 All the said Iustices of peace shall certifie all Recognisances taken Certificat of Recognisance.
before any of them for the peace, or good abearing, into their sessions next to be holden after the taking thereof. And Recognisance taken before any of them for suspicions of any maner of Felony, shall be certified before the Iustices in the great Sessions, next to be holden after the taking thereof, without concealment, detaining, or imbecelling of the same, vpon such penalties and dangers, as be therefore ordained & established. 34. H. 8. S. Iustices of peace 106. 107.

35 All fines and amerciaments before the said Iustices of peace to be Afferment of fines, & amerciaments.
lost, shalbe taxed and afferred by two Iustices of peace at the least, whereof one to be of the Quorum, and all such fines and amerciaments shall be set truely and duely, according to the quantitie of the offences, without partiality or affection. And the said fines and amerciaments, and also all issues lost before the said Iustices of peace, and all forfeitures of Recogni-
sa a 4 sances

fances, & other forfeitures before the same Justices, shall be verely extreated by the Clerks of the peace into the Elchequer, appointed for that limit, to the intent that proces may from thence be awarded for the leuping of the same forfeitures and summes of money to the Queenes vse, to the Sherife of euery County, as shall appertaine, who shall make thereof their accompts before such Auditors as thereunto shalbe assigned, so that the Q. may thereof be duely and truely answered and satisfied, which Auditors shal make due allowance to the same Sherifes for the fees of the Justices and Clerkes of the peace vpon their said accompts, as is vsed in England. 34. H. 8. S. Justices of peace 7.

Fines, forfeitures, & amerciaments extreated.

Justices and Clerkes fees.

Sherifes.

36 There shall be Sherifes in euery of the said Shires verely appointed by the Queene, and none of the said Sherifs shal haue their office of Sherifewike any longer time then is vsed by the Lawes and statutes of England, and for the verely nomination of the said Sherifes, the said Lord President, Counsell, & Justices of Wales, or thre of them at the least, whereof the said President to be one, shal verely nominate thre substantial persons in euery of the said xii. shires, to be Sherifes of the same, & shall certifye their names to the Lords of the Q. Counsel, attending vpon her graces person, *Craftino animarum*, to the intent the Q. being thereof aduertised, may appoint one of them in euery of the said shires, to be Sherife for the yere after, at her pleasure, like as her Highnesse doth for her Realme of England, and thereupon the said Sherifes shal haue their patents & Commissions vnder the great Seale of England as sherifes of England haue. And shal make and take othes and knowledges of recognisance before the President & Justices, or one of them, by vertue of the Q. writ of *Dedimus potestatem*, to be directed for the same, for the due execution of their Offices, & for their iust and true accompts, before the Q. Auditor or Auditors assigned for Wales. 34. H. 8. S. Sherifes 4.

Their patents

Othes.

The Sherifes authority.

37 Euery of the said Sherifes shall haue full authority within the limits of their Sherifewikes, to do and vse their offices as Sherifes in England, and shall accomplish and execute without any fauor, dread, or corruption, all maner of writs, proces, iudgements, and executions, and all common Justice appertaining to their Offices of Sherifes, & all lawfull commandements, and precepts of the said President, Counsell, and Justices of Wales, and also of the Justices of the peace, Elchetors, & Coroners, and euery of them, in all things appertaining to their offices & authority. And the said Sherifes shal doe, and be bound to doe all and euery other thing & things for the ministracion of Justice, and for the conseruation of the Q. peace, and the apprehension and represselle of Traitors, murderers, theeves, felons, and other offendors, as sherifes of England do vse & be bound to do within the Realme of England. 34. H. 8.

Sherifes accompt before Auditors.

38 The said Sherifes shal verely accompt before such the Queens Auditor or Auditors, as shalbe assigned by the Queene for her said Dominion of

of Wales, and euery of the said Sherifes shall haue yerely for his fee v. *The Sherifes fee.*
li. 34. *H. 8.*

39 Euery of the said Sherifes shall haue a gaole for prisoners within Gaoles. some conuenient place of the Castell of the shire Towne where he is Sherife, or in such other conuenient place, as by the said President, Counsell, and Iustices, or thre of them (whereof the said President to be one) shall be appointed. 34. *H. 8.*

40 The Sherifes counties or shire Courts of the Countie of Brecknock, shall be holden at Brecknock: of Radnor, at new Radnor & Preston: of Mountgomery, at Mountgomery and Daghenleth: of Denbigh, at Denbigh and Wirham: of Monmouth, at Monmouth & Newport, Alternis vicibus. 27. *H. 8. 26.* *County courts.*

41 The Sherifes shall keepe their Counties monethly, and their hundred Courts for ples vnder xl. s. as is vsed in England, and shall take for the entring of plaints, proces, ples, & iudgements, in the said shire Courts and hundreds, such final fees, as are vsed to be taken in shires and hundreds in England, and not aboue. 34. *H. 8.* *County courts kept monethly.*

42 All trials before them in their said courts, or before any stewards in Court barons, shall be by wager of law, or verdict of vi. men at the pleasure of the party plaintife or defendant that pleadeth the plea. 34. *H. 8.* *Trials before Sherifes or Stewards.*

43 Euery of the said Sherifes shall keepe and hold their Turnes yerely after Easter & Michaelmas, as they haue bin vsed in England. And the Q. shall haue all forfeitures, fines, issues and amerciaments, forfeited in any of the said confines, and hundreds, courts and turnes, to her owne vse, and the Sherife shall accompt for the same accordingly. And the estreats of the said turnes, counties & hundreds, shall be viewed, and the fines, issues and amerciamentes, afferred by the Iustices of assises of that circuit, before the leuying of the same amerciamentes; or other forfeitures, and no Sherife or any of his officers shall presume to gather, or leuie any such amerciament, or other forfeiture, before the said estreat be so afferred, vpon paine to forfe. to the Queenes vse xl. s. 34. *H. 8.* *Sherifes turnes.* *Estreats afferred by the Iustices of assise.*

44 The Sherife vpon euery iudgement had before him in his County or hundred Court, in any plaint vnder xl. s. shall and may award a Capias ad satisfaciendum, to arrest the party condemned, or els a Fieri facias, at the liberty of the pursuant. 34. *H. 8.* *Execution vpon a iudgement in the Sherifs court.*

45 All bills sued before the said Iustices in personall actions whereof the debt, duety, or damage is vnder xl. s. the Sherife shall haue for the returne of euery bill ii. *s.* And for euery Venire facias, Tales, Habeas corpora, and Distring. ii. *s.* and for writs of execution vpon the iudgement in any such bill xii. *s.* And in bills sued before the said Iustices in actiōs personals, aboue the summe of xl. s. the Sherife shall haue for the returne of euery such bill iiii. *s.* And for the returne of euery Venire facias, Habeas corpora, Distringas, and Tales iiii. *s.* and for euery writ of execution ii. *s.* And in all perso- *Sherifes fees.*

personal actions sued by originall writs returnable befoze the said Iustices, the Sherife shall haue for euery Iterum summon, Distring. & Alias distingas 4. d. and for euery Venire facias, Habeas corpora, Distring. and Tales vi. d. & for euery writ of execution to be executed vpon the iudgment in any such actions ii. s. for the seruing of euery writ of Elegit, vi. s. viii. d. And in all real actiōs or mixt, pursued befoze the said Iustices by originall writ, for returne of euery originall writ ii. s. and for returne of euery other writ and iudicial proces depending vpon the same befoze iudgement, ii. s. and for euery writ of execution after iudgement vpon euery originall, in actions reall or mixt, ii. s. and for seruing of euery writ of Habere facias Reisinam vi. s. viii. d. And for attachments vpon Capias, or other proces sued befoze the said Iustices by originall or iudicial writ, if he returne Cepi corpus, ii. s. and for a Redditi se vpon an Exigent of felony, in appeale of Murder, or maine, or vpon any indictment of Felony or Murder, ii. s. and vpon a Redditi se vpon an Exigent of debt, trespass, detinue, and all other actions personals xii. d. And for the making of Repleg. xii. d. & Withernā vpon the same xii. d. for the returne of euery writ of appeal of murder, felony, or maine xii. d. And vpon all other proces growen vpon the same, as Venire facias, Tales, Habeas corpora, and Distring. xii. d. And in euery action taken befoze the Sherifes by Iustices for the summons thereof 4. d. And for euery other proces thereupon 4. d. And for euery prisoner deliuered by acquittal, or by proclamation for any maner of Felony xii. d. 34. H. 8.

Suspect persons put under mainprize.

46 Every Sherife within the limits of his authoritie, may and shall put such persons under common mainprize, as they haue reasonable cause of suspect, binding such as they shal so put to common mainprize with two sufficient suerties with them by Recognisance, to appeare befoze the Iustices within the limits of their authorities, at the next great Sessions to be holden next after the taking of such bands, & shall certifie the names of them that be bound befoze the said Iustices at the said sessions accordingly, without concealment thereof at their pleasure. 34. H. 8. And the recognisances of such common mainprize, and suerty of apparance taken befoze any of the said Sherifes, shalbe as good & effectuell, as if it were taken by any Iustices of record. And euery person & persons within the Counties of Brecknock, Radnor, Mountgomery, Denbigh, Glamorgan, Carmarthen, Pembroke, and Cardigan, or any of them, put under common mainprize, and bound to his or their personal apparance, as wel by the foresaid Sherifs, as by the Iustices of any of the said Counties, shall keepe their apparance befoze the said Iustices at euery Sessions within the said Counties to be holden in such like maner & forme, as is vsed in the thre shires of North-wales. 27. H. 8. 26.

The Sherifes fee for mainprize.

47 Every person that the Sherife taketh to common mainprize, to appeare befoze the said Iustices; as is aforesaid, shall pay for his mainprize ii. d. and not above. And the said Sherife shall put no man to common mainprize,

pile, but such as be suspect, and as shalbe returned by them, befoze the said Justices at their Sessions, as is aforesaid, 34. H. 8.

48 And the said Sherife shal haue for the returne of a writ of false iudgment out of a base Court, befoze the said Justices ii. s. And the said Sherife shal take no maner of fee for the returne of any of the said writs of execution befoze expressed, unlesse he returne the same executed, 34. H. 8.

The fee for returne of a writ of false iudgment.

49 S. i. Ed. 6. 10. Exigents 7. That euery Sherife of the the said twelue Counties in Wales, and of the counties Palantine of Lancaster, Chester, and of the Citie of Chester, shall haue in euery of the Courts of the Kings bench, & Common ples, one sufficient deputie at the least, to receiue writs directed to such Sherife &c.

The Sherifes deputies.

50 The Sherife shal make the Bailifes of hundreds, and they shal attend vpon the Justices in euery of their Courts & Sessions, 34. H. 8.

Bailifes of hundreds.

51 Eschetors shalbe named in euery of the said shires by the L. Treasor of England, by the aduise of the said President, Counsell, and Justices, or thye of them at the least, wherof the said President to be one, which Eschetors shal make and take their othes, and knowledge their Recognisances befoze the said President, or one of the said Justices, by vertue of the Queens writ of Vedimus potestare, to be directed for the same, for the due execution of their offices, and for their true accompt to be made befoze the Queenes Auditor or Auditors, to be assigned for the same, which othe and recognisance shalbe agreable to the othe and recognisance bled for the Eschetors in England. And the Eschetors shall yerely haue their patents and commissions vnder the great seale of England, and shal haue power to exercise their Offices, in like manner and fourme as Eschetors in England, and shall be bound to all Lawes and Statutes of Englande. And all such persons as shalbe appointed to the said offices, shall and may exercise their offices, if they may dispend yerely v. li. of frechold: any Statutes of England to the contrary thereof notwithstanding. And euery of the said Eschetors shall make their accompt yeerely befoze such Auditor or Auditors, as shalbe assigned by the Q. to heare and determine her accompt, for her reuenues and profits of the said dominion of Wales, 34. H. 8.

Eschetors.

52 There shalbe two Coroners, to be elected in euery of the said twelue shires, as is vled in England, by vertue of the Queens writ de Coronatore eligendo, to be awarded out of the Q. Chauncery of England. And the said Coroners shall haue like authority to do and exercise their offices, and haue like fees, as is limited by the lawes and statutes of England. Provided alwaies, that the writ de Coronatore eligendo to chuse the Coroners within the said County of Flint, shalbe directed out of the Eschequer of Chester, 34. H. 8.

Coroners.

County of Flint.

53 The said Justices of Peace, or two of them at the least, wherof one of them to be of the Quorum, shall appoint and name in euery Hundred within the limits of their commission, two substantiall Gentlemen,

Constables of the hundred,

or ycomen, to be the chief Constables of the hundred wherein they inhabite, which two Constables of euery hundred shall haue speciall regard to the conseruation of the Queenes peace, and shal and may do and vse their offices in all and singuler things as is vled by the high Constables of the hundreds in England, and shall be bound to all things as high Constables of the hundreds in England be bound to. 34.H.8.

Stewards of Courts.

54 All Stewards of any Lordships, or manors in Wales, shall & may keepe and hold such Leets, Lawdaies, and Court Barons, as appertaineth and belongeth to the Lordships and Manors whereof they be Stewards, and hold ples by plaint vnder the summe of p.l.s. in euery such Court Baron, and haue and enioy all other authorizies, commodities and profits, as Stewards of Leetes, Lawdaies, & Court Barons in England commonly haue, and be vled to haue by reason of the said offices and none other: any law, custome, &c. in the said dominion of Wales notwithstanding. But the said Stewards nor any of them, nor the Sherife of the said Countie in Wales, shall haue any authorizty to enquire of any maner of Felony in any such Leete, Lawday, or Turne, within the said dominion to be holden. And no Leete nor Lawday shal be kept by the Steward or other officer of any Lordship or Manor in the said dominion of Wales, but in such Lordships and places where it was accustomed to be kept, before the making of the statut of 26.H.8. so alwaies the place where such Court shalbe kept be meete and conuenient for that purpose. 34.H.8.

No Sherife or Steward shal inquire of Felonie.

Head officers of corporate Townes.

55 All Maiors, Bailifes, and head Officers of corporate Townes in Wales may hold ples, and determine actions, and doe euery other thing concerning common Justice, according to their lawful grants and lawdable customes of such Townes, so alwaies they follow the course, trade, and fashion of the lawes & customes of the Realme of England, and not of any Welch lawes or customes. And in euery of the said townes they may trie all issues ioined in any action personal by vi. men, according as heretofore in diuers places of the said Countrey it hath bin vled: any thing in this act &c. notwithstanding. 34.H.8.

Aulneger.

56 The Aulneger in Wales, by himselfe, or his sufficient deputy or deputies, shal in all things to his office appertaining doe, and be bound to do, and answer in euery case like, and according as all and euery Aulneger in England do, or ought to do, according to the lawes and statutes of the Realme of England. And for the contrary doing or exercising of the said office, shall in euery case and degree suffer, as by the said Lawes and statutes is ordained for Aulnegers, vnder the Treasorer of England for the time being. 34.H.8.

All Courts &c. kept in the English tongue.

57 All Justices, Commissioners, Sherifs, Coroners, Eschetors, Stewards and their Lieutenants, and all other Officers, and ministers of the law, shal proclaim and keepe the Sessions, Courts, Hundreds, Leetes, Sherifes courts, and all other Courts in the English tongue, & al othes of

Officers, Iuries, and Enquests, and all other Affidavits, verdicts, and wagers of law shalbe giuen and done in the English tongue. And also no person or persons that vse the Welch speech, or language, shall haue or enioy any maner of office or fees within the Realme of England, Wales, or ether the D. dominions, vpon paine of forfe. of the same offices or fees, vnles he or they vse the speech or language of English, 27. H. 8. 26.

No vse of
welch speech
by officers.

58 In all and euery writs originall or iudicial, or other proces, ples, or writings, which be not expresse in this ordinance, the fees thereof as well for the seales, as writing, shalbe rated by the said President, Counsel and Iustices, or thre of them, wherof the said President to be one, by their discretion from time to time, as the case shall require, and they shall haue full power from time to time to asseste and appoint what fee the said Sherifes, Eschetors and Coroners, and their ministers, prenotaries, and their clarkes, and other ministers of Justice in the said shires shall haue of the Queenes subiects for any maner writs, plaints, ples, proces, returnes, or any other matter or thing, concerning or belonging to the execution of their offices and rowines, & to augment or diminish any fee or fees, aboue declared, as shall be thought by their discretions to be conuenient & meete for the common wealch of the Queens subiects of those parties of Wales 34. H. 8.

Fees rated by
the President
and Counsell.

59 All Maiors, Sherifes, Stewardes, Bailifes, and other Ministers and Officers of Justice, of euery County, Lordship, towne and place within the said dominion of Wales, and all and singuler the Queenes subiects of the same, shall be alwaies obedient, attendant, and assisting to the sayd President, Counsell, and Iustices of Wales, and euery of them, and shall obey the Queenes commandements and proces from them, or any of them directed, and all the lawfull and reasonable precepts of the said President, Counsell, and Iustices, and euery of them. And also shall be obedient to all the said Iustices of peace, Sherifes and Eschetors, within the limits of their said authorities, aswell for common administration, and due execution of Justice, as in all other things appertaining to their duties and offices. 34. H. 8.

All officers o-
bedient to the
President,
Counsell, and
Iustices.

60 No person for Murder or Felony shall be put to his fine, but suffer according to the Lawes of the Realme of England, except it please the Queene to pardon him. And if the said Iustices see cause of pitie or other consideration, they may reprie the prisoner, till they haue aduertised the Queene of the matter. 34. H. 8.

No felon shal
be put to his
fine.

61 If any Murder or Felony be committed within Wales, then the partie to whom any such offence shall be committed, shall in no wise take any end or agreement with the offender in that behalfe, nor with any other in his name or behalfe, vnles the said party first make the said President and Counsell, or one of the said Iustices priuie vnto the same, vpon paine of imprisonment and greuous fine, to be set and adiudged at the discre-

No man shal
agree with a
felon.

discretion of the said President Counsell, and Iustices, or two of them, whereof the said President to be one. The same paine and penalties to extend aswel to and against such as shall labour, mooue, or procure any such end or agreement made (although the same labour, motion, or procuremēt neuer take effect to make any end or agreement) as against him or them, with whom such end or agreement shalbe made, if the same happen to take effect. 34. H. 8.

Tumults.

62 No person or persons without lawfull authorizy, shal make any rumours, tumults, vnlawfull assemblies, or outcries, at any of the said Courts or Sessions, nor any outcries, nor vnlawfull assemblies in great numbers, at any other time, except it be for the apprehension or pursuing of Murderers or Felons, vpon paine of imprisonment, and greivous fine to be taxed and set vpon them by the said President and Counsell, or by the Iustices, or other Officer, before whom such misbehavioz shall happen to be committed. 34. H. 8. 4. H. 4. 27.

Voucher or
forrein plea.

63 In case any forreine plea or voucher be made before any of the said Iustices of Wales, betweene partie and partie, triable in any other shire within Wales, then where the said plea is pleded or voucher made: Then the said Iustices before whom the same plea or voucher shall be pleded or made, shal and may send the Queenes writ with a transcript of the record, mentioning y^e same forrein matter of plea, or voucher, vnder the seale to him committed, vnto the Iustice of the County where the same matter shal be triable, commanding the said Iustice by vertue of the said writ, to proceed to the triall thereof, according to the Queenes lawes and statutes, which trial so before him had, he shal remaund with the whole Record, vnto the Iustices before whom the said plea or voucher was pleded or made, who thereupon shall proceede to iudgement, as the case shall require. And in case the same forrein plea, voucher, or other matter so pleded, be triable within the Realme of England: Then the Iustice before whom the same plee or voucher shall be pleded, had, or made, shall and may proceed to the triall thereof, as shall appertain within the same Shire of Wales, where the same old plee, voucher, or matter was pleded: the said forreine plee, voucher, or any other thing or matter to the contrary thereof notwithstanding. 34. H. 8.

All lands in
Wales shall be
English Te-
nure, and not
Gauelkind.

64 All mayors, lauds, tenements, mesuages, and other hereditaments and all rightes and titles to the same, in any of the Shires of Wales, descended to any maner person or persons since the feast of the Nativitie S. J. Bap. An. 33. H. 8. or that hereafter shal descend, shalbe taken, enjoyed, v^sed, and holden as English tenure, to al intents, according to the Common Lawes of this Realme of England, and not to be partable among heires males after the custome of Gauelkind, as heretofore in diuers partes of Wales hath bin v^sed. And the same Law from and after the said feast of S. Ioh.

S. Ioh. Baptift, in the faid 33. yere. ſhal be vſed, taken, and exerciſed in the ſaid County of Monmouth, & in all ſuch Lordſhips, and other places, as by vertue of the Act made 27. H. 8. 26. or by any other act or acts, made or to be made, were & ſhalbe annexed to any of the Shires of Salop, Hereford, Glouceſter, or other Shires: any Lawes or cuſtomes &c. notwithstanding 34. H. 8.

65 No Mortgage of lands, tenements or hereditaments, made or had, after the ſaid feaſt of S. Iohn Baptiſt, which was 33. H. 8. or that hereafter ſhalbe had or made, within any of the ſaid Shires or places, ſhall be allowed otherwiſe, then after the courſe of the Common lawes and Statutes of the Realme of England: any vſage, or cuſtome &c. notwithstanding 34. H. 8.

Mortgage of lands.

66 It ſhalbe lawful to all perſons, to alien, ſell, or otherwiſe put away their lands, tenements, and hereditaments, within the ſaid Dominion of Wales, the County of Monmouth, and other places annexed to any of the Shires in England, from them & their heires to any perſon or perſons in fee ſimple, or fee taile, for terme of life, or for terme of yeres, after the maner, and according as is vſed by the Lawes of England: any Welch Lawe or Cuſtome heretofore vſed in the ſaid Dominion of Wales to the contrary thereof notwithstanding. This Article to take effect, from and after the ſaid feaſt of the Natiuitie of Saint Iohn Bay. An 33. Hen. 8. 34. Hen. 8.

Alienation of lands after the Engliſh maner.

67 If any perſon or perſons, hauing landes or tenementes within the ſaid dominion of Wales, ſhalbe bound within the Realme of Englande by Obligation, vpon the ſtatute of the Staple, or by Recogniſance, and pay not the debt as ſhall appertaine: Then vpon certificat thereof made into the Queenes Chancery of England, by the Clerke of the Staple, or by any Juſtice of record, before whom ſuch recogniſance ſhalbe knowledged, proceſſ ſhalbe made to the Sherifes of Wales, out of the Chancery of England, after the forme as is vſed to be made vpon ſtatutes and Recogniſances by the courſe of the Lawes of England, for due leuying & paying of the ſaid debt. But for ſuch recogniſances as ſhall be taken & knowledged before the Queenes Juſtices of her Bench, or common pleas in England, proceſſ ſhall be had and purſued immediatly out from the ſaid Juſtices, as is vſed vpon recogniſances taken before the Juſtices by the common courſe of the lawes of England. 34. H. 8.

Inheritors of Wales bound by ſtatute, or recogniſance in England.

68 All ſuch writs, bills, plaints, plees, proceſſ, challenges, and trials ſhall be vſed throughout all the Shires aforeſaid, before the ſaid Juſtices in their Sessions, as is vſed in Northwales, or as ſhall be deuised by the ſaid Preſident, Councell, and Juſtices, or three of them, whereof the ſaid Preſident to be one, for the good miniſtration of Juſtice to be had in euery of the ſaid Shires. 34. H. 8.

What writs, bills, & proceſſ ſhalbe vſed.

69 If any perſon or perſons, their auncceſſors, or they whoſe eſtate he

Five yeres poſſeſſion.

or

or they haue, haue bin in peaceable possession of any landes or tenements in Wales by the space of five yeres without let, interruption, or lawfull claime: Then the same person or persons shal continue their possession, vntill such time as it be lawfully recovered against them by order of the *D.* lawes, or by decree of the President and Counsel there. 34. H. 8.

That lining
the Iuroz in
ech case must
dispend.

70 Every person that hath any lands or tenements in fee simple, or fee taile, or for terme of his life, or for terme of any other mans life, being freehold, shall & may passe in all maner Iuries & trials, aswel in case of felony or murder, as in all actions reall, personall, & mixt whatsoeuer they be (Attaint onely except) and also may be empanelled, & enquire of all concealements, forcible entries, and other causes of enquiry for the *D.* albeit he may not dispend xl. s. by yere: Sauing to euery man his lawfull challenge for any other cause, according to the lawes of the realme of England. And no Iuroz shall passe in attaint, vntlesse he may dispend xl. s. by the yere of estate of frechold. 34. H. 8.

Attaint.

Tales de circum-
stantibus.

71 See 5. Eliz. 25. 14. El. 9. Iurors 23. That the demandants & plaintifes, tenants and defendants in Wales, vpon request made to the Iustices of the great Sessions, may haue a Tales de circumstantibus, where a full Iurie shall not appeare, or els after apparance of a full Iury, where the Iury is like to remaine vntaken for default of Iuroz by challenge of any of the parties. S. 34. H. 8. That in personal actions taken & pursued before the Iustices in Wales by writ or bill, if ix. of the Iury be swozne to trie the issue, & the residue make default, or be tried out, then the Sherifes shall and may immediatly retorne other names in the said Iurie De circumstantibus, vntill there be xii. men swozne to trie the issue, as before the Iustice of Northwales hath bin vled.

Sale of stolen
goods.

72 If any goods or cattels be stolen by any person or persons, and sold in any Faire or Market, within the said dominion of Wales, no such sale shal change the propertie thereof from the owner of the same, but he may lawfully seise, take, and haue the same againe, vpon prooofe thereof made, the said sale notwithstanding. 34. H. 8.

No cattel shal
be bought out
of the market
&c.

73 No person or persons shal bargain or buy any maner of beast, or other quicke cattel in any place within Wales, out of the market or Faire, vnles he can bring forth sufficient & credible witnesses of the name of the person, what place, and time he bought the same, vpon paine and danger of such punishment and fine, as shal be set vpon him, by the said President and Council, or any of the said Iustices in his circuit, for the said offence, & as he will therefore answer at his further peril. 34. H. 8.

Pursuit after
stolen goods.

74 If any goods or cattels be stolen within the limits of any of the said shires of Wales, then vpon suit thereof had & made, the tract shall be followed from towneship to towneship, or Lordship to Lordship, according to the Lawes & customes in that behalfe heretofore vled in Wales, vpon such penalty and danger, as heretofore hath bin accustomed. 34. H. 8.

75 The Queene shall haue all felons goods, and goods of persons outlawed, wayfe, straves, and all other forfeitures and escheates whatsoever they be, answered thereof by the hands of the Shirifes. Sauing alwaies the rights and interestts of euery of her subiects, hauing lawfull title to haue the same. 34.H.8.

The Queene shall haue all Escheates.

76 This act of 34.H.8. or any thing therein contained, shall not be prejudiciall to any person or persons, or bodies politique, for, or concerning any lands, tenements, rents, seruices, bondmen, tolles, or other hereditaments, but they and euery of them, their heires, successours, & assignes shall haue and enioy their lands, tenements, &c. in such like maner as they had the same before the making of this act. 34.H.8.

Each persons inheritance saved.

77 All liberties, franchises, and priuiledges of the Duchie of Lancaster, or in any wise appertaining to the same, shall be of the same force, and condition, & may be vsed in as large & ample maner, as they were before the making of this act: any thing &c. notwithstanding. 34.H.8.

Liberties of the Duchie.

78 All actions reals that shall be commenced or sued for any lands, tenements, or hereditaments, or any other thing within the Countie of Donmouth, and all actions personals within the same shire, of the summe of xl.s. or aboue, and all actions mixt shall be sued by originall writ out of the Chauncerie in England, and heard, determined, and tried before the Queenes Iustices in England, by Assise, or Nisi prius, within the said countie of Donmouth, in such like maner, forme, and wise, as all other actions reals, personals, & actions mixt be sued, heard, determined, & tried, in, or for any shire of the Realme of England. 27.H.8. 26.

Actions sued in the countie of Donmouth.

79 The Queenes Iustices of her Bench, or of the common Bench at Westminster, haue full power to direct all maner proces to the Shirife, & all other officers of the said countie of Donmouth, & also to direct writs of venire facias to the same Shirif for the trial of such issue ioined before them, & also to award commissions of Nisi prius into the said countie of Donmouth, for the trial of such issues ioined before them, in like maner & forme as they do into euery shire of this Realme of England. 27.H.8. 26.

Triall of Nisi prius in the countie of Donmouth.

80 All and euery of the Queenes subiects and inhabitants within the said Countie of Donmouth, be bound to be obedient and attendant to the Lord Chauncelloz of England, the Queenes Iustices, and other the Queenes most honorable Councell, and vnto all lawes, customes, ordinances, and statutes of this Realme of England, in like maner, forme, and wise, as all other the Queenes subiects within euery shire of this Realme of England be bounden. 27.H.8. 26.

Inhabitants in Donmouth obedient to the law & Magistrates of England.

81 The Shirife of the said Countie shall hold plea of Replegiari, & all other suits & plaints vnder xl.s. in his county or shire court, in like maner & forme, as all other Shirifs do within this realme of England. 27.H.8. 26.

Of what things the Shirife of Donmouth shall hold plea.

82 The Shirife, Eschetors, and Coroners that be within the said Countie of Donmouth, be bound to execute all the Queenes processe, and

The Shirifes, Coroners, Eschetors due.

and to make due returns thereof, and to vse and exercise their offices according to the lawes and statutes of this Realme of England, in all and euery thing, as the Shirifes, Eschetors, and Coroners be bound to doe in all and euery other shire of this Realme of England. 27. H. 8. 26.

The Shirifes
and Eschetors
account.

83 The Shirife and Eschetors of the said shire of Monmouth shal be appointed by the Queene, shall make their accompts for their said offices in the Queenes Eschequer in England, in like maner & forme as other Shirifes & Eschetors do within this Realme of England, & vpon such like paines and penalties, as is vpon other Shirifes & Eschetors in euery other shire within this Realme of England. 27. H. 8. 26.

Two knights
and one bur-
gesse for the
parliament.

84 For all Parliaments to be holden for this Realme, two Knights shall be chosen to the same parliament for the shire of Monmouth, and one Burgesse for the Borough of Monmouth, in like maner, forme, & order, as other Knights & Burgessees of the parliament be elected in all other shires of England, & the same knights & burgessees shall haue like dignitie, preheminance, and priuiledge, and shall be allowed such fees, as other knights and burgessees of the parliament hath bin allowed. And the knights fees shall be leuied, perceiued, receiued, gathered, & paid, in such maner, forme, and order, as such fees be gathered &c. in other shires of this Realme of England, and the burgessees fees shal be leuied as well within the borough of Monmouth, as within all other auncient boroughes within the said shire of Monmouth. 27. H. 8. 26.

Hauerford
West,

85 The Queenes high Iustice of the Countie of Pembroke shall be high Iustice of the Countie and Towne of Hauerford West, & shall haue like authoritie, to & for the ministracion of Iustice within the said Countie and towne of Hauerford west, as is appointed to the said Iustice, to & for the administracion of Iustice in the said Countie of Pembroke. And the Maioz, Shirife, Bailife, and Burgessees of the said countie and towne of Hauerford west, from time to time shall be as well attendant, and obey all precepts and commaundements of the President and Councell of the Q. in her Marches of Wales, and also shalbe attendant to all precepts & proces awarded or directed by the said high Iustice vnto the sherife of the said county & towne of Hauerford west, and to make returne thereof, and the said sherife of the said county & towne, shall serue all precepts and procelle directed from the said high Iustice, in like maner & forme, as the sherife of the said county of Pembroke is bound to do, and according to the effect & purport of the Queenes ordinances in that behalfe had, made and prouided. And it shalbe lawfull vnto the said Maioz, sherife, bailife, & burgessees of the said county and towne of Hauerford west aforesaid, to vse and exercise all lawfull liberties & grants by king H. 8. or his progenitors to them granted & confirmed, at the Queenes pleasure, according to the Lawes of this Realme of England, and not other wise. And the iudicial Seale of the said shires of Pembroke, Carmarthen, & Cardigan, being in the custody of the
Queenes

Queenes high Justice there for the time being, shall be vled in the said countie & towne of Hauerford west, as the originall and iudiciall seale of the same towne & countie. And the said Justice of the said shires of Pembroke, Carmarthen, and Cardigan, shall haue like authoritie by vertue of the Queenes letters patents to him made, as well to doe euery thing concerning common Justice to be ministred within the said towne & countie of Hauerford west, as he hath in his said letters patents within any of the said shires of Pembroke, Carmarthen, and Cardigan. 34. H. 8.

86 These Lordships, townships, parishes, commotes, and cantredes hereafter named, being Lordships Marchers, & sometime lying betweene the Shires of England and Wales: And all honors, manors, lordships, castels, lands, tenements, and hereditaments, lying or being within the compasse or precinct of the said Lordships, townships, hamlets, parishes, commotes, & cantredes, & euery of them, in whose possession foeuer they be, are guildable, & taken as part and member of the shire of Donmouth viz. Donmouth the head and shire towne of the said Countie, Chepstow, Datherne, Lannyhaugell, Magour, Goldcliffe, Newport, Wenlog, Llawerne, Caerlyon, Uske, Trelecke, Tinterne, Slynfreth, Grousmont, White castel, Reglan, Calicot, Bilston, Abergiuenny, Penrose, Greene-feld, and Daghen, and Hochupflade. 27. H. 8. 26. Part of the Marches annexed unto certaine shires in England and Wales.
Donmouth.

87 These Lordships, townships, &c. are guildable, & within the Shire of Radnor, viz. New Radnor, the head & shire towne of the said Countie, Clitherman, Elnelles, Boughred, Glasebury, Glawdistre, Highellis church, Melenech, Blewagh, Knyghton, Noxton, Preston, Coymothuder, Rayder, Gwethromyton, and Stanage. 27. H. 8. 26. Radnor.

88 These Lordships, townships &c. are guildable, and within the shire of Brecknocke, viz. Brecknocke the head and shire towne of the said Countie, Trekehowel, Tretowze, Penkelly, English Talgarth, Welsh Talgarth, Dynas, the Hay Glynebogh, Brovulles, Cantercelly, Lando, Blaynlynby, Estredow, Bueleth, and Llangoys. 27. H. 8. 26. Brecknocke.

89 These townes are guildable, & within the shire of Mountgomery, viz. Mountgomery the head & shire town of the said Countie, Kedewenkery, Camisland, Arnestely, Keniliock, Doythur, Powesland, Clunessland, Balesley, Tempcestre, and Alcestre. 27. H. 8. 26. Mountgomery

90 These townes &c. are guildable, and within the shire of Denbigh, viz. Denbigh land the head and shire towne of the same Countie, Ruthin, Saint Alle, Kynllethowen, Bromfeld, Vale, Chirke, and Chirkeland, Goleldale, and Hopeldale. 27. H. 8. 26. Denbigh.

91 These townships &c. are guildable, and annexed to the Countie of Salop, viz. Abertannad, Oswestre, Whetington, Halbroke, Knoking, which with their members shall be taken the hundred of Oswestre, and Elefmer, annexed to the hundred of Pimhill, and Downe, & Cherburie, annexed to the hundred of Cherburie. 27. H. 8. 26. 34. H. 8. Salop.

Hereford.

92 These towneships are guildable, & annexed to the Countie of Hereford, viz, Ewyas Lacy, called the hundred of Ewyas Lacy, Ewyas Harold, annexed to the hundred of Weibtree, Clyfford, Wynforton, Verdesley, Whiteney, & Huntington, called the hundred of Huntington, Weigmoze Logharneis, the hundred of Weigmoze & Stepulton. 27. H. 8. 26.

Gloucester.

93 These Lordships are guildable, and annexed to the Countie of Gloucester, viz, Mollaston, Tidnam, Bechley, & all lands lying betweene Chepstow bidge in the Marches of Wales, and Gloucester shire, and in the hundred of Teseburie. 27. H. 8. 26.

Glamorgan.

94 These Lordships are guildable, & annexed to the Countie of Glamorgan, viz, Gowerkilney, Bishops towne, Landaffe, Synghinthe supra, Synghinthe subcus, Dylkin, Dgmoze, Glynerotheny, Callagarne, Ruchien, Callanau, Langlethian, Lantwide, Tyerial, Auan, Nethe, Landwey, and the Claves. 27. H. 8. 26.

Carmarthen.

95 These townes &c. are guildable, and within the shire of Carmarthen, viz, Lanemethe, Tierpe, Abermerlesse, Kedwely, Eskenning, Coznewoolthan, Newcastell, Emlyn, Abergolly, and Lanstiffan, Austerlois, Langham, parcell of the hundred of Derleys. 27. H. 8. 26.

Pembrooke.

96 These townes are guildable, and within the shire of Pembrooke, viz, Kilgarran, Lanstiffan, Langeharne, other wise called Tellaugharne, Talwinscastell, Dewelland, Leunehadein, Lanfey, Penbeth, Slebeiche, Rosimarket, Castellau, Landofloure. 27. H. 8. 26.

Cardigan.

97 These townes &c. are guildable, and within the shire of Cardigan, viz, Tregaron, Gengerin, Landway, Uteny. 27. H. 8. 26.

Flint.

98 These townes &c. are guildable, and within the shire of Flint, viz, Hoppe, Halwarden, Hereford, Olley, & Holdesdale within the hundred of Holdesdale, Allaph, within the hundred of Rutland, 33. H. 8. 12.

Northway.

99 The Lordships, Townes, and Parishes of Northway, & all lands, tenements, &c. within the compasse of the same, are guildable, & annexed to the Countie of Merioneth in Northwales as a commote, member, or part of the same. 27. H. 8. 26.

Worcester.

100 The Towne of Bewdly within the parish of Ribesford in the Countie of Wigorne, & all the ground & soile of the same towne, is united, annexed, and made parcell of the Countie of Wigorne, & within the hundred of Dodingtree: And the inhabitants of the said towne & parish shall be attendant, and doe every thing with the inhabitants of the said hundred. Saving to the Burgesles & inhabitants of the said towne of Bewdley, all such liberties and franchises, as they lawfully had & exercised in the same towne befoze the making of this act. 34. H. 8.

Apparance and attendance at Courts.

101 All and singuler person and persons, dwelling or resident within Wales, or in the Lordships marchers of the same, at all times upon such monition or warning given for the court to be kept in Wales, or in any of the Lordships marchers, as befoze time hath bin used, shall personally appeare

appeare before the Iustice, Steward, Lieutenant, or other Officer, at all and euery Sessions, Court and Courts, to be holden before the same Iustice, Steward, or other officer in any whatlouer place within Wales, or within the pprecinct, limits, and iurisdiccions of euery of the Lordships Marchers, or seigniozies aforesaid, or the Marchers of the same, as by the said Iustice, Steward, or other officers shall be appointed, and then and there shall giue his & their personall attendance, to do euery thing which to him or them shall appertaine, vpon paine of such fines, forsaitures, and amerciaments, as shall be assessed by the Steward, Iustice, or other officer to the Queenes vse, if it be within any of the Queenes Lordships Marchers, and if it be within any other Lordships Marchers, then to the vse of the Lord of the said Lordship Marcher for the time being. The said forsaitures and amerciaments to be leuied by way of distress of the goods and cattels of euery person not appearing at the said court or courts, or not doing his duetie, as is abouesaid. 26. H. 8. 6.

102 If the Steward, Lieutenant, or any other officer of any Lordship Marcher in Wales, do faine, procure, or imagine any vnttrue surmise against any person or persons that shall so giue their personall attendance before them at such Court or Courts, where they haue rule or authoritie, and vpon the same vnttrue surmise, commit them to any dures or imprisonment contrarie to the law, or contrarie to the true & lawdable custome of that Lordship: Then vpon sute made vnto the Queenes Commissioners or Councell of the Marches for the time being, by any such person or persons so imprisoned, or by any of their friends, the same Commissioners or Councell shall haue full power to send for such Steward, Lieutenant, or officer, and also for the person or persons so imprisoned, & if the same person or persons so imprisoned, can evidently proue before the said Councell by good & substantiall witnesses, or otherwise, that his imprisonment was vpon any fained surmise, without cause reasonable, or lawfull, then the same Commissioners shall haue full power to asseste the said office to pay to the said person or persons wrongfully imprisoned vi. s. viii. d. for euery day of their imprisonment, or more, by the discretion of the said Commissioners, according to the hurts & behauior of the person or persons imprisoned, & the same Commissioners shall set further fine vpon the said officer, to be paid to the Queenes vse, as by their discretions shal be thought conuenient. And in case the same officers do refuse to appeare before the same Commissioners incontinent after any commandement to them directed, & deliuered after any such complaint made to the same Commissioners: then the same Commissioners shal haue full power vpon euery default made by any officer or officers, to asseste & set vpon euery such officer or officers making default, such fine or fines, to be leuied to the Queenes vse, as by their discretions shal be thought conuenient. And the same Commissioners shal haue full power to compell the said officer or officers by way of imprisonment,

An officer imprisoning one vpon an vnttrue surmise.

Comment, aswel to pay such fine as shall be taxed vpon them to the D. use, as to pay vnto euery person or persons so imprisoned, such summes of money as they shalbe assessed to pay for their wrong imprisonment. 26. H. 8. 6.

No weapon
shal be brought
to Courts,
Faires, or
Churches.

103 No person dwelling or resident within Wales, or the Lordships Marchers of the same, of what estate, degree, or condition soeuer he be, coming, or repairing vnto any Sessions or Court to be holden within Wales, or any Lordships Marches of the same, shall bring, or beare, or cause to be brought or borne to the same Sessions or court, or to any place within the distance of two miles from the same Sessions or court, nor to any towne, church, faire, market, or other congregation (except it be vpon a Hue or Outcrie made of any Felonie, or robberie done,) nor in the high waies, in affray of the Queenes peace, or the Queenes liege people, any bill, long bow, crof bow, handgun, sword, staffe, dagger, halberd, moris- pike, speare, or any other maner of weapon, priue coate, or armour defen- siue, vpon paine of forfaiture of the same weapon, priue coate, or ar- mour, & to suffer imprisonment, and make fine & ransome to the Queene by the discretion of the Queenes Commissioners of her Marches for the time being, except it be by the commandement, licence, or assent of the said Iustices, Steward, or other Officer, or of the Commissioners, or Councel of the Marches for the time being. 26. H. 8. 6. 4. H. 4. 28. S. Armour 9.

Gathering
commonthes,
exactions, &c.

104 No person or persons without licence of the said Commissioners in writing, shall within Wales, or the Marches of the same, or in any Shires adioyning to the same, require, procure, gather, or leuie any Com- morth, Vidale, tenants ale, or other collection or exaction of goods, cat- tels, money, or any other thing vnder colour of marping, or for redemp- tion of any murder, or any other felonie, or for any other maner of cause, by what name soeuer they shall be called: Nor shall make or procure to be made any Games of running, wrestling, leaping, or any other games, (the game of Shooting onely except) vpon paine of one whole yeeres im- prisonment of euery person or persons as shall gather or procure to be ga- thered any such collection or exaction, or shall make or procure to be made any games as is aforesaid. And further they & euery of them shall make such fine, as by the discretion of the D. Commissioners of her Marches shal be thought conuenient. And the said Commissioners shall haue power to heare & determine the said offences by their examination. 26. H. 8. 6.

Proecuring
of games.

Arthel.

105 No person or persons shall at any time cast any thing into any Court within Wales, or in the Lordships Marches of the same, by the meane or name of any Arthel, by reason whereof the Court may be letted, disturbed, or discontinued for that time, vpon paine of one whole yeeres imprisonment of any such person or persons, as shall cast, or cause to be cast any such Arthel into any court or courts to be holden within Wales, or the Lordships Marches of the same: any custome &c. notwithstanding. 26. H. 8. 6.

106 All Sessions & Courts to be holden within Wales, or the Lordships marchers of the same, shall be kept within the most surest and peaceable place within the same Lordship marcher, where the said Justice, Steward, or other officer shall appoint. 26.H.8.6. where Sessions shall be kept.

107 The Justices of the gaole deliuerie, and of the peace, and euery of them for the time being in the Shire or Shires of England where the Queenes writ runneth, next adioyning to the Lordship Marcher, or other places in Wales, where any counterfeiting, washing, clipping, or mintage of any coine currant within this Realme, or murder, shall be committed or done, or where any other felonies or accessaries shall be committed, haue authoritie at their Sessions & gaole deliuerie to inquire by verdict of xii. men of the same shire or shires next adioyning within England where the Queenes writ runneth, there to cause all such counterfaiers, washers, clippers of money, felons, murderers, & accessaries to the same to be indicted according to the lawes of this lãd, in like maner as if the same petite treasons, murders, felonies, & accessaries to the same had bin committed within any of the said shires, within the said realme, & also to heare, determine, & iudge the same, according to the lawes of this Realme. And all forrein ples, pleaded by any of the said offendours, shall be tried & determined in the same shire or shires. And the acquittall or fine making for any of the causes aforesaid, in any of Lordships Marchers, shall be no barre for any person or persons, being indicted in the said shire or shires within two yeeres next after any such murder, or felonie done. 26.H.8.6. Inquire in the counties adioyning, of offences committed within the Lordship marchers.

108 The said Justices of peace and gaole deliuerie, & euery of them, haue authoritie to award all maner of proces, as well of Outlawrie, as otherwise, against all & euery such offendour & offendours, so indicted, in manner & forme, and according to the customes and Lawes vsed within this Realme of England. And the said Justices, or two of them befoze whom any such offendour shall happen to be outlawed, or attainted by belagarie, shall immediatly vpon the same belagarie or attainder, direct, & send vnto the Queenes officers of her Lordships marchers, or to their deputie, or vnto the lord or lords marchers of the same lordship marcher, or to his or their officer or officers, or to their deputies, wherein such offence, murder, or felony shall happen to be done, or where any such offendour, murderer, or felon shall happen to be resiant, a certificat vnder the seales of them, or two of them, of any such belagarie or attainder, commaunding them, and euery of them by the same, vnder paine of forfaiture of a C. li. to the D. to be leuied & perceiued aswell of the goods, cattels, lands, & tenements of the same lord or lords marchers, as of the goods, & cattels, lands, and tenements of the Queenes officer there: to appzehend and attach, or cause to be appzehended & attached the bodie or bodies of the same offendour or offendours so outlawed or attainted, and safely to keepe, or cause to be kept the same offendour or offendours, till such conuenient time, befoze the next Forrein ples. Acquittall in Lordships marchers. Proces of outlawry against persons indicted. Certificat of outlawrie.

Sessions of the **D.** Justices of her gaole deliuerie of the shire where such offendour or offendours shall happen to be outlawed or attainted, as to the **D.** officer of her lordships marchers, or to their deputies, or vnto the lord marcher, or lords marchers of the same lordship marcher, or to his or their officer or officers, or their deputies, where such offendour or offendours shall be apprehended, attached, detained, & kept, shall be thought expedient for the conueiance, or conduction of the same offendour or offendours, in maner & forme following, to be deliuered from the Queenes officers, or their deputies, or the lord marcher, or the lords marchers, or his or their officer or officers, to other persons assigned by this act, to receiue and conuey such offendour or offendours by Indenture to be made betweene the deliuerer or deliuerers, & the receiuer or receiuers: that is to say, The Queenes officer of her Lordship Marcher, or their deputies, or the lord or lords Marchers of the lordship marcher, or his or their officer or officers, or their deputies where such offendour or offendours shall be apprehended, attached, detained, and kept, shall safely conduct and conuey, or cause to be conducted & conueied the same offendour or offendours to the next Lordship marcher toward the Shire where the same offendour or offendours shal happen to be outlawed or attainted. And the Queenes officers of the same Lordship marcher, or their deputies, or the lord or lords marchers of the same lordship marcher, or his or their officer or officers, or their deputies, shal receiue & safely conuey the same offendour or offendours to the next Lordship marcher. And so the Queenes officers of euery Lordship marcher, or their deputies, or the lord or lords marchers of the same Lordship, or his or their officer or officers, or their deputies, to receiue & conuey safely euery such offendour or offendours, from one lordship marcher to an other lordship marcher by indenture as is aforesaid, vnto the time that such offendour or offendours shall be safely deliuered before the said Justices of the gaole deliuerie, vpon pain of forfaiture by euery of the Queenes officer, or lord marcher, (by whose default the same offendour or offendours shal, ne may not appeare, before the same Justices at their said Sessions, there to stand and abide the order of the Queenes lawes) C. vi. to be leuiued & perceiued of the goods and cattels, landes, and tenements of the same Officer or Lord, to the Queenes vse. And all and euery officer and officers, lord & lords, or other persons to whom any certificat shall be directed, as is aboue said, shall at the next Sessions and gaole deliuerie to be holden after the apprehension, or attachment of such offendour or offendours, returne the same certificat in due forme, and what he or they haue done in that behalfe vpon the paine aforesaid. Sauing alway to all & euery offendour & offendours, all & singuler traueses, challenges, exceptions, aduantages, and all other plea, to, of, & vpon the outlawrie pronounced against the same offendour or offendours, in maner & forme, as is, and hath bin vled by the lawes of this realme, for any the **D.** subjects dwelling within the same realme, 26. H. 8. 6.

Conueyance of
offendours from
one Lordship
marcher to an
other.

Returne of
the certificat.

All aduantages
saued to the of-
fendours.

109 This act shall not extend to abridge or deprive any liberties, privileges, or authoritie of any lord marcher, heretofore granted to the same lord, or lawfully used or accustomed by the said Lord or any of his ancestors, unless the foresaid offenders happen to be indicted, outlawed, arraigned, convicted, or attainted by force of this act, as is abovesaid, within two yeeres next after such murder or other felonious offence committed, within the said lordship marchers, or any of them, any thing in this act, &c. notwithstanding, 26. H. 8. 6. Quare whether the use of these three latter branches, of this Statute of 26. Hen. 8, be taken away by the annexing of the Lordships marchers to certaine Counties in England and Wales.

No liberties of any lord marcher abridged.

110 All murders, robberies, felonies, and accessories to the same which shall happen to be committed within the shire of Merioneth in Wales, shall & may be inquired, heard, and determined in the Courts of Carnarvan or Anglesey, before the Queenes Justices of Northwales, or their deputie for the time being, by verdict or enquest to be taken by the inhabitants of the same shires of Carnarvan, and Anglesey or otherwise if by discretion of the Justice there or his deputie, it shall be thought convenient. And the same Justice or his deputy for the time being, shall have full power by his discretion by force of this act, to heare and determine all and every the foresaid murders, felonies, robberies, & accessories in forme aforesaid. 26. H. 8. 6. But see the Statute 34. H. 8. that the foresaid acte, and every article therein contained shall take effect and be executed in all points, for & concerning any of y^e said offences done within the county of Merioneth, to be inquired of, heard, & determined within the countie of Salop, in like maner and forme as commonly is and hath bin used for any of the same or like offences committed within any other countie or place of Southwales.

Felonies committed in Merioneth.

111 Every officer and officers, and their deputies, upon commandement given by the commissioners or counsell of the Marches for the time being, shall bring, send, or deliver every offender (which doth commit any murder, robbrie, or felony, within the lordships marches of Wales, or in other places of Wales, without the same lordships marches, & doth flie & escape from the same lordship or other place, where such offence was committed, and repaireth into another Lordship marcher) to the officer of the Lordship marcher or other place, where any such offence shall be committed or done upon the metes and bounds of the said lordships, or to the said commissioners or counsell according as the said officers by them shall be commanded, under paine of xl. l. the same commandement or commission to be directed to any such officer to be sent, conveyed, and delivered by a sergeant at armes, or pursuivant attendant on the said counsell in the Marches, for the time being. 26. H. 8. 6.

Where and to whom any offender shall be committed.

112 All such unlawfull customes, as have bin used in severall forests in Wales, and the Marches of the same (for the taking of unlawfull exactions of any of the Queenes subjects which passe, goe, or ride through, or

Exactions taken in Forests in Wales.

in any way or path of any of the said forests, not having upon him a token deliuered vnto him by the chiefe foresters, rulers, or farmers: Or to take any such money and gold, as shall be found upon him which is taken by the space of xxiiii. foote out of the high way in any of the said forests, or to cause the same person so taken out of the high way, to lose a ioint of one of his hands, or to make fine therefore with the foresters, rulers, &c. at their will and pleasure: Or for any Foresters, Rulers, walkers, or farmers, vnlawfully to seise and take any beastes or quicke cattell, and to marke them with the marke of their forests, which do happen to come, goe or escape into anie of y^e said forests, by stray, or theefe stolen, or otherwise) shalbe determined, void, and had for nought, throughout all and euery of the said forests within Wales, and the marches of the same. And it shall be lawfull to al and euery of the Queenes true subiects, and all other person and persons being in league and amity with our Soueraign Lady the Queene, her heirs & successors, Kings or Queenes of England, freely, quietly, and in peace to passe and repasse, trauaile and goe into and throughout the said forests and euery of them, both on horsebacke and on foote, aswell following and driuing of cattell, as with carying of wares, or otherwise about their lawfull busines and affaires, without anie fine, forfeiture, toll, custome, exaction, or other imposition to be taken, exacted, or demaunded of them, or anie of them, by the said foresters, rulers, walkers, farmers, or their assignes, and if it shall chance any of the said foresters, rulers &c. at anie time to take any person or persons, being the Queenes true subiects, or otherwise in league and amity with our Soueraigne Lady, her heirs or successors, Kings or Queenes of England, as is aforesaid, and exact and take of them, or of any of them, any of the said forfeitures, fines, tolles, customs, or exactions, as is aboue mencioned, and be thereof lawfully convicted: Then he or they so doing & offending contrarie to this act, to incurre and stand in danger of the statute heretofore prouided for robberies by the Queenes high way, and the same to be tried before the Iustices of the peace in the next shire adioinant, according to the law of this realme of England. 27. H. 8. 7.

23. H. 8. 1. See
Clergie. 13.

Redeliuery of
strates or chiefe
stollen goods.

II 3 If any manner of beast or quicke cattell of any of the Queenes true subiects, or other the Queens friends, at any time do come into any of the said forests by strates, theefe stolen, or otherwise, and there be marked and seised of any of the said foresters, rulers, walkers, farmers, or their assignes, or any of them, & the owner or owners of the same cattell, within any one yere & a day then next ensuing, chace to find the said cattell so taken, & lawfully proue the same to be his or their owne proper cattell, then the same cattell shalbe redeliuered to the owner or owners therof, according to the ancient law of this realme of England, the said owner or owners reasonably paying for y^e keeping of such cattell, after the rate of the time that such cattell shall haue bin in the custody of any such foresters, rulers &c. or his

his or their assigns, in such maner and forme, as heretofore hath bin in like case vſed to be done by the owners within a yere & a day next after the ſeiſing of the ſame cattell. And if any of the ſaid foreſters, rulers, &c. or their assigns do denie the deliuerance of any ſuch cattell, by them or any of the ſo ſeiſed or marked within any of y^e ſaid foreſts, after the owner & owners of them, ſhal haue duely and lawfully p^{ro}oued them to be his or their own proper goods or cattels, as is afo^{re}ſaid: Then euery ſuch foreſter, ruler, walker, farmer, or their assigns ſo doing & offending contrary to this act, ſhal forfeit & pay vnto the partie grieved, the double value of all ſuch cattel, as ſhalbe ſo taken & marked, and not deliuered to the owner or owners as is afo^{re}ſaid. And the party grieved may haue his action of Detinue at the common law, of & for the ſame cattel againſt euery ſuch offender or offenders, & the ſame to be tried in the next ſhire adioinant, wherein no W. C. P. &c. And like proceſſe of outlawry ſhalbe had & made in the ſaid actiō of Detinue in the next ſhire adioinant againſt euery foreſter, ruler, &c. or their assigns, ſo offending cōtrary to the tenor of this act, as in an action of treſpas at the common lawe of this realme is vſed. 27. H. 8. 7.

114 Forthwith vpon the charge giuen to any enqueſt to be taken and ſwozne befoze any Juſtices, Steward, Lieutenant, or their officer within Wales, or the marches of the ſame, of, for, & vpon any trauerſe againſt the Queene, or the triall of any recogniſſance broken, or any other forfeiture forfeited to the Queene, or of, for and vpon the trial of any murderer, felon, or acceſſary of felony or murder: One officer or other perſon ſhalbe deputed, & ſwozne in the preſence of the ſaid Juſticiar, or other officer, for the true & diligent keeping of the ſame Iurozs. And the ſame officer or other perſon ſo ſwozne, without the ſpeciall cōmandement of the ſaid Juſticiar, or other officer, ſhall not do, or ſuffer to be miniſtred to the ſame Iurozs, any bread, drinke, or meate, fire or light, nor ſhal ſuffer the ſame Iurozs to ſpeake to any perſon or perſons, nor y^e ſame officer or other perſon ſwozne, without the commandement afo^{re}ſaid, ſhal not ſpeake to the ſaid Iurozs, but only to demand of them of their agreement, vnto ſuch time as the ſame Iurozs ſhal haue giue their verdict, any vſage or cuſtome heretofore vſed to the contrarie notwithstanding. And if the ſame officer or other perſon ſo ſwozne in forme afo^{re}ſaid, do not execute & accompliſh the premiſſes in the oth befoze rehearſed, in euery point & article: Then he ſhalbe puniſhed & impriſoned, and make fine & ranſome to the Queene, by the diſcretion of the ſaid Juſticiar, Steward, Lieutenant, or other officer. 26. H. 8. 4.

115 If the ſame Iurozs do acquite any ſuch felon, murderer, or acceſſary, vpon whoſe triall they ſhalbe charged, or giue any vnt^{re} verdict againſt the Queene vpon the triall of any trauerſe, recogniſſance, or other forfeiture, contrary to the good and pregnant euidence miniſtred to them by perſons ſwozne befoze the ſaid Juſticiar, Steward, Lieutenant, or other officer, or that the ſaid Iurozs, or any of them do eat, drinke, or ſpeake

A bally for keeping of a Jury.

Untrue verdict.

to or with any person or persons, then to such as be swozne with them or otherwise misdemean themselves, after they be swozne, and before they haue giuen their verdict, then the Lord President, or other the counsell of the marches for the time being, vpon notice or complaint thereof to be made, shall not only haue authoritie to call such Iurozs before them, but also the same Iusticiar, Steward, or other officers afoze whom any such acquittal, vntreue verdict, or misdemeanours shall happen to be made, shall haue full power to compell such Iurozs and euery of them, vpon paine of imprisonment, to be bounden by recognisance in a certaine summe of money by their discretion to be limited, that the same Iurozs & euery of them shall personally appeare at a certain day by the same Iusticiar, Steward, or other officer to be limited before the Lord President, and other of the Counsell aforesaid, for the time being, then and there to abide and stand to such direction and order, as the same Counsell shall make, ordaine, and decree, of, in, and vpon the same. And the same Counsell shall hereupon haue authority by examination or otherwise, to heare and determine all and euery such cause, and shall haue like authority to commit euery of the same Iurozs to prison, or other punishment, as shall be thought meete by the discretion of the said counsell, or otherwise assesse or take euery such Iuroz to his fine or ransome by the same discretion, to be paid and leuied of their lands, goods, and cattels to the vse of the Queene. 26. H. 8. 4.

A Burgesse for
Hauerford west

116 The towne of Hauerford west shall for euer, find one Burgesse for the said towne at euery Parliament to be holden in England, and the charges of the same Burgesse shall be alwaies bozne by the Maior, Burgesses, and inhabitants of the said towne, and none other. 34. H. 8.

Knights and
Burgesses for
the parliamēt.

117 For all Parliaments to be holden for this realme, one Knight shall be chosen to the same Parliaments for euery of the shires of Brecknock, Radnor, Mountgomery, & Denbigh, & for euery other shire within the said countrey of Wales, and for euery borough being a shire towne within the said countrey of Wales, one Burgesse (except the shire towne of the countie of Merioneth) & the election to be in like maner, forme, and order, as Knights & burgesses of the parliament be elected in other shires of this realme (and to be named & chosen by the authority of the Queenes writ, vnder the great seale of England, 34. H. 8.) and the Knights & burgesses, and euery of them shall haue like dignity, preheminence and priuiledge, and shall be allowed such fees, as other Knights of the Parliament haue and be allowed, and the knights fees shall be leuied of the commons of the shire that they be elected in, and the Burgesses fees shall be leuied, and gathered aswell of the boroughs, & shire townes, that they be Burgesses of, as of all other ancient boroughs within the same shire. 27. H. 8. 26.

The wages of
knights of the
parliament.

118 The Shirifes for the time being of euery of the twelue shires in Wales, and in the countie of Monmouth, haue authority to gather, & leuie or cause to be gathered, or leuied the knights fees or wages of the inhabitants

habitants of the xii. shires, & of the said county of Monmouth, which ought to pay the same, and the same so gathered, shall pay, or cause to be paid to euery such knight, or knights, or to his or their assignes, within two moneths next after such knight or knights shall deliuer or cause to be deliuered the Queenes writ De solutione feodi militis parliamenti to any such shirife, and euery such shirife making default of payment of the fee or wages in maner and fourme aforesaid, shall forfait to the Queene and H. rr. E. - and if any shirife in any of the said xii. shires and countie shall make default of payment of the said wages &c. by a longer time then two moneths, then he shall forfait for euery moneth that he shall make default rr. E. to be forfeited and leuied in maner and fourme aforesaid. 35. H. 8. 11.

119 Euery Maior and Bailife, and other head officers of cities, boroughs and townes in euery of the said xii. shires & countie of Monmouth within like space of two moneths after the receit of the Queenes writ De solutione &c. shall leuy, gather and pay the wages & fees to their Burges- The wages of Burgesles of the parliament. ses, in maner and fourme aforesaid, and in and vnder like pains and forfeitures as is befoze mentioned, to be leuied of the goods and cattels of euery such Maior, Bailife, & other head officer (to whom the Queenes said writ shalbe directed for the leuying of such fees) making default of payment of the same to the Burgesles &c. 35. H. 8. 11.

120 Because the inhabitants of all cities and boroughs in euery of By whom bur- gesses of the Parliament shalbe chosen. the xii. shires in Wales and in the county of Monmouth, not finding Burgesles for the parliament theselues, must beare & pay the Burgesles wages within the shire towns of and in euery the said twelue shires and counties: the Burgesles of euery of the said cities, boroughs and townes which be contributory to the payment of the Burgesles wages of the said shire townes, shall be lawfully admonished by Proclamation, or otherwise by the Maiors, bailifs, or other head officers of the said townes, or by one of them, to come and to giue their elections for the electing of the said Burgesles, at such time and place lawfull and reasonable, as shalbe assigned for the same intet, by y^e said Maiors, bailifs &c. of the said shire towns, or by one of them, in which election the Burgesles shall haue like voice & authority to elect, name, & choose the Burgesles of euery of the said shire townes in such maner as the Burgesles of the said shire townes haue, or vse. 35. H. 8. 11.

121 Two Iustices of peace in euery shire in Wales and in the countie of Monmouth haue authority indifferently to lot and take euery citie, borough, and towne within the said shires and county wherein they do inhabit, for the porcions and rates that euery of the said cities and boroughs shall beare and pay towards the Burgesles within the said shire townes of euery of the said shires & counties, which rates so rated & taxed in grosse by the said two Iustices, shalbe again rated & taxed on the inhabitants of euery of the said cities & boroughs by foure or lixe discret & substantiall Rating of boroughs for the Burgesles wages. Burgesles

Burgesſes of euery of the ſaid cities and boroughs in Wales thereunto named and aſſigned by the Maior, Bailiſes, or other head officers of the ſaid cities, towns and boroughs, for the time being, & thereupon the Maior, bailiſes, &c. of euery ſuch citie, borough, &c. ſhal gather the ſame, & there of make payment to the Burgesſes of the parliament, within like time, and vpon like paines and forfeiture as is aforeſaid. 35. H. 8. 11.

Lords march-
ers tenants un-
der common
mainprife.

122 Becauſe Lords Marchers in times paſt haue uſed to put their tenants within the Lordſhips marchers, vnder common mainprife and ſuertie of apparance, and haue had the forfeiture thereof (which for euer ſhal vtterly ceaſe & determine. 27. H. 8. 26.) Therfore alſwell the Queens ſpirituall and eccleſiaſticall ſubiects, Lords marchers, hauing lordſhips marchers, or lordſhips royall in Wales, & their ſucceſſors, and the ſucceſſors of euery of them, as alſo the heirs and ſucceſſors of the Lords tempo- rall marchers within their Lordſhips marchers and Lordſhips royall in the dominion or principality of Wales, ſhall haue & enioy to them and to their heirs and ſucceſſors reſpectiuely and ſeuerally for euer, the moitie and halfe of euery forfeiture of all and euery common mainprife, recogniſance for the peace, or apparance forfeited by any their tenants, inhabi- ting within anie of their Lordſhips marchers, or lordſhips royall, & they to be paid the ſame moitie by the hands of the ſhirifes of euery of the ſaid counties where ſuch forfeiture ſhalbe, if the ſhirife can leuy the ſame, and the ſame ſhirife to accompt to the Queene for the other moitie, & further ſhal haue all ſuch miſes and profits of their tenants as the lords marchers ſpirituall or tempo- rall reſpectiuely or ſeuerally, had or uſed to haue, at their firſt entrie into their lands in times paſt, beſore the making of the ſaid ſtatute of 27. H. 8. and alſo ſhall haue, hold, and keepe within the pre- cinct of their ſaid lordſhips, all ſuch court Barons, Courts Leete, & law- daies, and all and euery thing and things to the ſame courts belonging, and alſo ſhall haue within the precinct of their ſaid ſeuerall lordſhips or lawdaies, al ſuch waife, ſtraie, inſangtheefe, outſangtheefe, treaſure troue, deodands, goods and cattels of felons, and of perſons condemned or out- lawed of felony or murder, or put in exigent for felonie or murder, and al- ſo all ſuch wrecke de meare, wharfage and cuſtomes of ſtrangers, as the Lords marchers, ſpirituall & tempo- rall reſpectiuely & ſeuerally had & uſed in times paſt beſore y making of the ſaid ſtat. of 27. H. 8. 1. & 2. H. 8. 15.

L. Marchers
retaine their
priviledges.

Tillage.

123 The tenants and reſtants in Wales ſhall pay their tillage at the change of their Lords, in ſuch places and after ſuch forme as haue bin ac- cuſtomed in Wales. 34. H. 8.

Subſidies.

124 All the Q. ſubiects & reſtants in Wales ſhalbe charged & charge- able to al ſubſidies, & other charges to be granted by the commons of any parliamēt holden in England, & ſhal pay al other rents, farmes, cuſtomes, & duties to the Q. as they haue been accuſtomed (fines for redemption of ſeſſions only except.) 34. H. 8.

125 The Bishops of Hereford, S. Davies, Aflaph, Bangor, and Landaph, and their successors, shall take such order amongst themselves for the souls health of the flocks committed to their charge within Wales, that the whole Bible containing the New testament & the Old, with the booke of Common prayer, & administration of the Sacraments, as is now used within the realme in English, to be truly & exactly translated into the British or Welsh tongue, and that the same so translated, being by them viewed, perused, and allowed, be imprinted to such number at the least, that one of either sort may be had for every cathedrall, collegiat, and parish Church and chappell of ease, in such places & countries of every of the said diocesses where that tongue is commonly spoken or used, before the first day of March, An.Dom. 1566. And that from that daie forth, the whole diuine seruice shalbe used and said by the curats and ministers thoroughout all the said diocesses where the Welsh tongue is commonlie used, in the said British or Welsh tongue, in such maner & forme as is now used in the English tongue, and differing nothing in any order or forme from the English booke. For the which bookes so imprinted, the parishioners of euery of the said parishes, shal pay the one half or moitie, and the parson & vicar of euery of the said parishes (where both be) or els the one of them, where there is but one, shall pay the other halfe or moitie. The prices of which bookes shalbe appointed and rated by the said Bishops and their successors, or by three of them at the least. The which things if the said bishops or their successors neglect to do, then euery one of them shall forfeit to the Queenes Maiestie, her heires and successors, the summe of xl. l. to be leuied of their goods and cattels. 5. Eliz. 28.

The Bible and booke of Common prayer converted into the Welsh tongue.

126 And one booke containing the Bible, and one other booke of Common prayer in the English tongue, shall be bought and had in euery Church throughout Wales, in which the Bible and booke of Common prayer in Welsh is to be had by force of this act (if there be none already before the first day of March 1566.) & the same Books to remaine in such conuenient places, within the said Churches, that such as vnderstand them may resort at all conuenient times to reade & peruse the same. And also such as do not vnderstand the said language, may by conferring both tongues together, the sooner attaine to the knowledge of the English tongue. Any thing in this act &c. notwithstanding. 5. Eliz. 28. in a Statute not imprinted.

A Bible and booke of Common prayer in English, shall be in euery Church in Wales.

¶ In the time of King H. the 4. it was prouided by seuerall statutes, that no Welsh man (except he were a bishop, or a temporal lord) should haue any castle, fortresse, or house defensue of his owne, but such as had ben used in the time of king Edward the Conquerour of Wales, nor that any Welshmen should be made Iustice, Chancellor, Chamberlaine, Treasurer, Shirife, Steward, Constable of castle, chiefe foster, nor other officer, nor Lieutenant, in any of the said offices in any part of Wales, nor

Wales. Wards, Wardships, Mariage.

of counsell with any English lord (bishops & such as were tried faithfull and obedient subjects except) nor that any English man married to any Welsh woman, should be put in any office in Wales, nor should haue any franchises with English burgessees, nor that any person should carrie any vitaille or armour into Wales, without the kings or counsels licence, sauing to store the English castels and townes, nor that any English man should be conuict by any Welsh man in any court in Wales, but by English men of the next venue, and of good fame, nor that any Welsh man should purchase any land in England, or in English townes in Wales, nor should be burgesse or haue any other libertie within any of them. But it seemeth that the force of those statutes is taken away by the statute of 27.H.8.26. Therefore see the first branch of this title and Quære.

Quære.

- 1 For exigents and other proces for and against any persons dwelling in Wales. S.Exigents 6.9.
- 2 That Shirifes in Wales shall haue deputies in the Kings bench and Common place. S.Exigent 7.8.
- 3 That a Tales De circumstantibus is to be granted in the xij. shires in Wales. S.Iurors 23.
- 4 The act prouided for Tanners, Curriers, Shomakers &c. shal be construed to extend to Wales, as ampie as it doth to England. 5.Eliz.8.
- 5 In what sort Mortuaries shall be payed in Wales and the Marches. See Mortuaries 5.
- 6 For the triall of treasons and misprision of treason committed in Wales, or the marches thereof. S.Treason 12.
- 7 For money payed in Wales for the redemption of forfeitures. See Rents 1.
- 8 For the authoritie of commissioners of Sewers in the countie of Glamorgan in Wales. S.Sewers 6.
- 9 For the inrolling of fines & recoueries in the twelue shires in Wales, and in the towne and countie of Hauerford West &c. S.Fines 29. &c. See 5.Eliz.25.

Wards, Wardships, Mariage.

A tenant en-
feoffeth his
heire to defeat
wardships.

If any man doe enfeoffe his eldest sonne or heire, being within age, of his inheritance, that thereby the lord might lose his wardship, yet notwithstanding such feoffement, the chiefe lord shall haue his wardship. Marleb. 5.2.H.3.6.

Fraudulent
conueyance to
defeat the lord
of wardship.

2. If any persons meaning to demise their lands for terme of certeine yeeres (that they might thereby defeat the lordes of the fee, of their wardships) will faurie false feoffements, containing that they are satisfied of the whole seruice due vnto the vntill a certeine terme, and that such feoffees are bound to pay at the said terme a great summe to the value of the same lands, or much aboue, so that after the same terme the land shall reuert to them or their heires, for that no mā will desire to hold the same of so great a price,

a price, yet by such fraud no chiefe Lord shall lose his wardship. But it is not lawful for such Lords to disseise the feoffees without iudgement thereupon giuen, but they shall haue a writ to haue the wardship deliuered vnto them, and then it shall be tried by the witnesses named in the deed of feoffement, with other good and free men of the countrey, by the quantitie and value of the land, and the quantitie of the summe payable after the terme, whether such feoffements were made in good faith, or by fraud to defeat the Lord of his wardship. And if the chiefe Lords do by iudgement of the Court recouer their wardship, yet the feoffees shall haue their action reserved to recouer their terme or fee, when the heires shall come to their lawfull age, And if any chiefe Lords doe maliciously implead such feoffees, faining this case where the feoffements were made lawfully and in good truth, then the feoffees shall haue their dammnages & costes awarded vnto them, which they susteined by reason of the foresaid sute. And also the plaintifes shall be grievously amerced. Marlb. 52. H. 3. 6. See 24.

Electione custodie

3 After an heire hath bin in warde, when he is come to full age of one and twentie yeeres, he shall haue his inheritance without reliefe & fine, so that if such an heire being within age be made Knight, yet his land shall remaine in the Lords custodie vntill the terme aforesaid, Magna charta. 9. H. 3. 3.

After wardship no reliefe nor fine.

A ward made knight.

4 If any lay man, friend, or other, do with force against the Queenes peace withhold, lead away, or marry any heire vnder the age of xiii. yeeres, and is thereof conuict, he shall pay to the partie from whom the said heire is taken, the value of the marriage, and shall be imprisoned vntill he hath paid the said value, if the child be married, and also vntill he hath satisfied the Queene for the trespassse. Merton. 20. H. 3. 6. West. 1. 3. Ed. 1. 22. S. Women 6. 7. 8. 12.

Rauishment of ward.

5 He which doth rauish and take away any man or woman childe, (whose marriage belongeth to another) hauing himselfe no right in the same marriage, although he doe after restore the child vnmarrried, or both make satisfaction for the marriage, yet shall he be two yeeres imprisoned for his offence, and if he do not restore the heire, or do marrie him after the yeeres of consent, and is not able to make satisfaction for the marriage, he shall abiure the Realme, or haue perpetual imprisonment, and thereupon the plaintife shall haue a writ of Rauishment of ward. And if the heire chance to die before he be restored, or can be found, yet the sute shall proceed betwixt them vntill it be tried who ought to haue had the marriage if he had bin lyving, for the wrongfull rauisher of such a ward shall not be excused or eased of his punishment by the death of the heire, which he did wrongfully withhold during his life. And if the plaintife doe die before the sute be determined betwixt them, if the right did belong vnto him by reason of his owne proper fee, the plea shall be resummoned at the sute of the plaintifes heire, & shall passe in due order: But if the right did belong

Rauishment of ward.

The heire dyeth.

The plaintife dyeth.

Wardes, Wardships, Mariage.

The defendant
dyeth.

Communi
custodia,

Forisfactura
maritagij.

Valore maritagij.

A remede
where the
Gardian ma-
keth a scoffe-
ment of the
heires lands.

unto him, by reason of any other title, or by gift, sale, or such like, then the plee shall be resummoned at the sute of the plaintifes executors, and shall passe &c. In like sort, if the defendant die before the plee be determined, or the heire restored, the sute shall proceed by resummons betwixt the plaintiff or his heire, or executors, & the executors of the defendant, or his heires, if the executors be not sufficient as concerning the satisfaction of the value of the marriage, but not to the imprisonment (for in that sort one man shall not be punished for an others offence.) In like sort, when any sute dependeth betweene parties for the ward of an heire, or land, or of both, by the common writ de Communi custodia, resummons shall be made betweene the heire, & executors of the plaintiff, and the heire, & executors of the defendant, if death prevent any of the parties before the sute determined: And when they haue passed to the great distresse, there shall be a time giuen, wherein there may be holden thre countyes at the least, in euery of which countyes there shall be open proclamation made, that the deforcer shall appeare in the Common place at the day contained in the writ to answer the plaintiff, at which day if he do not appeare, & the proclamation be so testified, the first, second, & third time, iudgement shall be giuen for the plaintiff, sauving the defendants right, if he will at an other time defend the same. In the same maner it shall be done in an action of trespass, when any man complaineth himselfe to be elect from such wardships. *West. 2. 13. Ed. 1. 35.*

6 If any heire being aboue xiii. yeeres of age, and vnder xxi. marrie without the licence of his Lord, to defeat him of his marriage, and the lord doe offer him a reasonable and conuenient marriage) without disparagement) then his Lord shall retein his land aboue his age of xxi. yeeres, so long that he may thereof receiue the double value of his marriage, according to the estimation of lawfull men, or according to that he hath bin offered before, without fraud and malice, for the same marriage, and according to that it may be proued in the Queenes court. *Merton. 20. H. 3. 6. West. 1. 3. Ed. 1. 22.*

7 If an heire (of what age soeuer he be) will not marrie at the Lords appointment, he shall not be thereunto compelled, but when he commeth to his full age, he shall satisfie his Lord of so much as he might haue receiued of an other for his marriage, before he shall haue his land, & that shall he doe whether he will marrie himselfe, or not, for that the marriage of an heire within age is due to the Lord of the fee. *Merton. 20. H. 3. 7.*

8 If a gardian or chiefe Lord infecte any man of land which is the inheritance of a child within age, and in his ward, to the disheritance of the heire, the heire shall forthwith haue his recouerie by Assise of Nouel disseisin, against his gardian & against the tenant, and the seisin shall be deliuered by the Iustices, (if it be recovered) to the next friend of the heire to whom it cannot descend, for to improue to the heires vse, & to answer the issues to the heire when he commeth to full age, and the gardian shall lose

lose during his life, the wardship of the thing recovered, and all the residue of the inheritance which he holdeth in the name or right of the heire, & if any other gardian then the chiefe Lord doe it, he shall loose the custodie of all that thing, and shall be grievously punished by the Queene. And if an Infant be caried away, or disturbed by the gardian, or by his fessce, or any other, by reason wherof he cannot sue his assise, one of his next friends, that will, shall be allowed to sue for him, West. 1. 3. Ed. 1. 47. S. Assise 2,

Sute by prochein amy.

9 If any heire after the death of his ancestor be within age, & his Lord hath the wardship of his lands, if his L. wil not deliuer him his lads when he commeth to full age without sute in law, the heire shall recover his land by Assise of Mortdauncester, with the damages that he hath sustained by the withholding thereof since the time he was of full age. And if an heire at the time of the ancestors death be of full age, & is heire apparant & known for heire, & found in the inheritance, the chiefe Lord shall not put him out, nor take, nor remoue any thing there, but onely shall take simple seisin for confession of his seigniorie, that he may be known to be lord. And if the chiefe Lord do maliciously hold such an heire out of possession, whereby he is driven to purchase an Assise of Mortdauncester, or writ of Cofinage, then he shall recover his damages as in Assise of nouel disseisin. Marl. 52. H. 3. 16.

A remedie for the heire of full age to recover his land from his Lord.

The heire of full age at the death of his ancestor, shall onely pay reuels.

10 The gardian of an heire within age shall take of the heires lands but reasonable issues, customes, and seruices, without distruction & wast of his men, and other commodities, and so long as he hath the wardship of the same heire, he shall maintaine his houses, parks, stagges, pooles, mills, and all other things belonging to the same lands, with the profits of the same, & shall deliuer to the heire when he commeth to full age, his ground stowed with ploughes, and all other things (at the least as he receiued it,) Magna charta. 9. H. 3. 5. And if a Gardian do commit wast, he shall loose the wardship, and if the losse of the wardship untill the full age of the heire be not sufficient to recompence the damages of the wast, he shall also answere to the heire damages. Gloucest. 6. Ed. 1. 5. See Hill' 28. H. 8. Dyer fol. 25. that the Gardian shall onely loose the wardship of the land.

The gardian shall make no wast of the heires lands.

11 The gardians of an heire within age, which holdeth his land in Socage, shall commit no wast, destruction, or sale, in the same inheritance, but shall safely keepe it to the vse of the heire, so that when he commeth to his full age, they shall make him accompt, and answere him of the issues of the same land: Sailing to them their reasonable charges. Neither may the same gardians giue or sell the wardship of the same heire, but onely to his profit. Marl. 52. H. 3. 17.

Gardian in Socage.

12 If the Lord of an heire female to whom the marriage belongeth will not marrie her, after she hath accomplished the age of xiiii. yeeres, but for couctous lucre of the land will keepe her vnmarried, he shall not haue nor keepe by reason of marriage the land of such heire female, moze then

At what age an heire female shall be out of ward.

Wardes, Wardships, Mariage.

two yeeres after the said terme of xiiii. yeeres, and if the Lord within the said two yeeres doe not marrie her, then she shal haue an action to recouer her inheritance, without giuing any thing, for her wardship, or marriage. *West. 1. 3. Ed. 1. 22.* But the law of the Realme is, that if a woman be of the age of xiiii. yeeres at the time of the death of her auncestre, she shall haue liuerie of her lands discended vnto her. *39. H. 6. 2.*

The heire fe-
male refusing
marriage.

13 If an heire female, of malice, or by euill counsell will not be married by her chiefe Lord, where she shall not be disparaged, then her Lord may retaine her land and inheritance vntill she hath accomplished the age of an heire male, viz. of xxi. yeeres and aboue, butill he hath receiued the value of her marriage. *West. 1. 3. Ed. 1. 22.*

Prioritie of
feoffement
giueth title
of wardship.

14 If one inheritance discend to any infant within age of the fathers side, which held of one Lord, & an other of the mothers side, that held of an other Lord, that Lord shall haue the marriage, of whom the childes auncestre was first infeoffed, without hauing respect to the sexe or quantitie of the land, but onely to the moze auncient feoffement by knights seruice. *West. 2. 13. Ed. 1. 16. 28. Ed. 1.*

Disparagement
of the heire,

15 If any Lords do marrie those which they haue in warde, being within the age of xiiii. yeeres (so that they cannot consent to marriage) to villaines, or other such kind of bozough men, where they are disparaged, then if the wardes friends doe complaine thereof, the Lord shall lose the wardship, vntill the full age of the heire, & the profit that shall be thereof taken, shall be conuerted to the vse of the heire which is within age, according to the disposition of his friends, for the shame which is done vnto him: But if he be of the age of xiiii. yeeres and aboue, so that he may, & do consent to such marriage, no paine shall follow. *Merton. 20. H. 3. 6.*

Who shall be
guardian in So-
cage.

16 If any land or inheritance holden in Socage discend to an heire of his mothers side, then the wardship of the same heire belongeth to the next friend of the fathers side, & e conuerso. *28. E. 1. Sta. de wardis & releuijs.*

Wardship of
them which
hold by knights
seruice in chiefe
of the Queene.

17 The Queene shall haue the wardship of all their lands which hold of her in chiefe by knights seruice, wherof the tenants were seised in their demesne as of fee, the day of their death, of whom soeuer they hold by like seruice, so that they held of auncient time any lands of the Queene as of her Crowne, vntill the heire come vnto his lawfull age (except the fees of the Bishops of Canterbury and Durham, betweene Tine and Teese, and of Earles & Barons of the Marches &c.) *Prerog. Regis. 17. Ed. 2. 1.*

How the mean
Lords shall be
answered their
chiefe rent du-
ring the heires
minozitie.

And therefore because the Queene shall haue aswell those lands which be holden of others, as which be holden of her selfe, wherof her tenant dyed seised during the minozitie of the heire, and vntill he hath sued Liuerie, such mesne Lords during such minozitie, shall receiue the rents due to them for the same lands holden of the by the hands of such of the Queenes officers as be appointed to receiue & take the profits and reuenues of the same lands so holden of such mesne Lords, during the minozitie of such heire,

heire, and vntill he sue his liuerie. And such heire vntill he shall oz conueniently might haue sued his liuerie, shall be thereof discharged. And such officer shall vpon request made, pay the same to such mesne Lords, they giuing to him a sufficient acquittance, and such payment and acquittance shewed, shall be to the same officer a sufficient discharge vpon his account.
2. Ed. 6. 8. S. Prærogative 1. S. Office 1.

18 But if any do hold of the Queene by fee ferme, oz socage, oz burgage, and he holdeth lands of an other by knights seruice, the Queene shall not haue the custodie of his heire, nor of his land, which is holden of an other mans fee, by reason of the fee ferme, socage, oz burgage: Neither shall she haue the custodie of such fee ferme, socage, oz burgage, except knights seruice be due vnto her out of the said fee ferme: Neither shall she haue the custodie of the heire, oz of any land holden of an other by knights seruice, by occasion of any petite Sergeantie that any man holdeth of her, to pay a knife, an arrow, oz other like thing. Magna chart. 27. Tenure of the Queene by fee ferme, oz socage. Petit Sergeantie.

19 The Queene shall haue the marriage of an heire being within age, and in her custodie, whether the land of such heire haue of auncient time bin holden of the Crowne, oz that it came by reason of eschet being in the Queenes hands, oz that she hath the marriage by reason of the warde of the Lord of such heire, without respect of priortie of feoffement, although the heire hold of others. Prærog. Regis. 17. Ed. 2. 2. Marriage.

20 If a woman befoze the death of her auncester, which held of the Queene in chiefe, be married befoze she be marriageable, then the Q. shall haue the wardship of the same woman, vntill she be of the age able to consent, & then she may choose whether she wil haue him to whom she was first married, oz him that the Queene will offer her. Prærog. Reg. 17. Ed. 2. 5. The Queenes woman tenant married in the life of her auncester.

21 If the Queene doe commit the wardship of the land of any heire in her custodie to the Shirife, oz any other to answere to her Grace the profits of the same landes, and he doe make wast oz destruction in the wardship, he shall make amends to the Queene, and the land shall be committed to two lawfull and discreete men of the same fee, which shall answer the Queene, oz him which she will assigne, the profits of the same landes. Mag. chart. 4. Wast in wards land by the Q. committed.

22 If the Queene doe giue oz sell to any man the wardship of any such land, and he doth make wast oz destruction therein, he shall loose the wardship, and it shall be deliuered to two lawfull & discreet men of the same fee, which shall answer the Queene the profits &c. Mag. chart. 9. H. 3. 4. Wast in wards lands by the Queene granted.

23 An Escheator shall haue no fee of Wood, Venison, Fish, nor other things, but shall answer to the Queene the issues & profits yeerely coming of wardes lands, without doing wast oz destruction. And if any Escheator, oz Subescheator do commit wast in any wards lands, as in houses, woods, parks, warrens, oz other things that fall into the Q. hands, he that hath receiued the losse shall haue an action of wast out of the Chauncerie. An Escheator shall haue no fee, nor commit wast in wards lands.

Wards, Wardships, Mariage.

terie against the Eschetor for his act, and the Subeschetour for his act, (if he haue whereof) and if he haue not, his Master shall be answerable for the damages. And if the Eschetor be attainted of wast, he shall be punished at the Queene's pleasure, and yeeld to the heire treble damages at the heires owne sute, aswell within age, as of full age, & his friends, as long as he is within age, shall haue the sute for him, answering to the heire that which shall be recovered. Artic. super chart. 34. Ed. 1. 18. 36. Ed. 2. 13.

Fraudulent
conveyance to
defeat ward-
ship, &c.

24 If any person or persons hauing estate of inheritance, of, or in any manors, lands, tenements, or hereditaments, holden of the Queene by knights seruice in chiefe, or otherwise of the Queene by knights seruice, or of any other person or persons by knights seruice, haue giuen at any time sithence the xx. day of Iuly, 32. H. 8. An. Do. 1540. or hereafter shall giue, will, deuise, or assigne by will, or other act executed in his life, his manors, lands, tenements, or hereditaments, or any of them by fraud or couin, to any other person or persons, for terme of yeeres, life, or liues, with one remainder ouer in fee, or with diuers remainders ouer for terme of yeeres, life, or in taile, with remainder ouer in fee simple to any person or persons, or to his or their right heires: Or at any time sithence the said xx. day of Iuly, hath conueied, or hereafter shall conuey, or make by couin, (contrarie to the true intent of the Act prouided 34. H. 8. for the making of Willes) any estates, conditions, mesuallties, tenures, or conueyances, to the intent to defraud or deceiue the Queene of her prerogatiue, primer seisin, liuerie, reliefe, wardships, mariages, or rites, or any other Lords of their wardships, relieves, heriots, or other profits, which should or ought to accrue, grow, or come vnto them, or any of them, by, or after the death of his or their tenant, by force & according to the statutes made 32. H. 8. 1. and 34. H. 8. 5. And the same estates, and other conueyances being found by office to be so made by couin, fraud, or deceit, contrarie to the true intent of the said Actes: Then the Queene shall haue aswell the wardship of the bodie, and custodie of the lands &c. as liuerie, primer seisin, reliefe, and other profits which should or ought to appertaine to her, according to the true meaning of the said Actes, as though no such estates or conueyances by couin had neuer bin had or made, vntill the said office be lawfully vndone by trauesse, or otherwise. And the other Lord & Lords of whom any such lands &c. shall be holden by knights seruice, as is aforesaid, shall haue their remedie in such cases, for his or their wardships of bodies & lands, by writ of Right of ward, and shall distreine and make auowrie or cognizance by themselves, or their Bailifes, for their relieves, heriots, & other profits, which should haue bin to them due, by, or after the death of their tenant, as if no such estate or conueyance had bin had or made: Sauing the right and title of the donees, feoffees, leasees, and devisees thereof against the said deuisor and his heires, after the interest and title of the Queene, or other Lord therein ended, 34. H. 8. 5.

The donees
title saved af-
ter the Lords
interest deter-
mined.

25 If two or moe do hold any lands, tenements, or hereditaments of the Queene by knights seruice jointly to them, and the heires of one of them, & he that hath the inheritance thereof dyeth, his heire being within age, the Queene shall haue the warde and marriage of the bodie of such heire, the life of the freeholder or freeholders of the said landes &c. notwithstanding. 32. H. 8. 1.

Wardship by reason of a remainder onely.

26 All warbes which the Queene is intituled to haue with their manors, lands, tenements, rents, remainders, reuerfions, seruices, and all other hereditaments, aswell in possession as reuerfion, and all reuenues, issues, and profits of the same, for the time the same be, or ought to be in the Queenes possession, shall be in the order, suruey, and gouernement of the Queenes Court of Wards and Liueries, and the ministers of the same. 32. H. 8. 46. And all Liueries which shal be sued out of the handes of the Queene, her heires & successors, & out of the handes of any of them of any castles, honours, manors, lands, tenements, rents, reuerfions, remainders, or other hereditaments whatsoever they be, shal be in the order, suruey, and gouernance of the said Court of the Queenes Wards and Liueries, and of the ministers of the same. 33. H. 8. 22.

All the Queenes wards, & their lands in the order of the Court of wards, and liueries.

27 The Master, Atturney, Receiuor generall, and Auditor of the court of Wards and liueries, or thre of them, whereof the Master shal be one, haue authoritie to make sale & grant of the Queenes wards and euery of them, & of part of their landes during their minozitie, the same sale & grant to passe by the Q. bill assigned. And also the said Master with the aduice of the said Atturney, and receiuor, or one of them, haue authoritie without the Q. bill assigned, to make woodsales to the Queenes vse, of all vnderwoods, byō any of the Q. wards landes, being lawfully in y^e Queens possession. And to take and appoint timber for the necessary reparations of all the castles, manors, lands, tenements, and parkes of the said wards. And in the Q. name to make leases during y^e minozitie of the said wards, of al lordships, manors, lands, and tenements, remaining in the Queenes hands, and belonging to the said wardes, yeelding to the Queene such rents, as shall be thought conuenient by the discretion & suruey of the said Master, Atturney, Receiuer, and Auditor, or thre of them, whereof the Master to be one. And also the said Master by the aduice of the said Atturney, Receiuer, & Auditor, or thre of them, hath authoritie to suruey all the Queenes widowes, and to treat, common, and conclude with all & euery of them that haue married themselues without the Queens licence, for their reasonable fines to be made to the Queenes vse, & to take & assesse the same by their discretion, according to the statute of Prerogatiua Regis. And also to suruey, gouerne, & order, all and singular Ibeots, and naturall fooles, which be in the Queenes hands, and all the manors, lands, & hereditaments, &c. being in the Q. hands, or in the hands of any other person to their vles, that do come or be in her graces hands, in the right

The authoritie of the chiefe officers of the court of wards and liueries.

Grants of wardes.

Woodsales.

Reparations. Leases.

See Prerogatiua 4. 10.

The Queenes widowes.

Ibeots.

Wards, Wardships, Mariage.

Intrusion.

Bonds of accountants.

Assessing of fines.

Appointment of officers.

of any of them, by reason of her prerogative roiall. And by the said aduice &c. three or two of them to let and set the manors, lands, & tenements to the Queenes vse, for the time of the Queenes interest, for such rent & fine, as by their discretions shal be thought conuenient: the finding & keeping of the persons, their wiues and childzen, and the reparations of their said houses and lands alwaies to be considered. And the said Master, with the aduice of the said Atturney, Receiuer, or one of them, hath authoritie to call at all times before them, into the office of the wardes &c. by the proces of the same court, euery person which is or hath bin the Queenes warde, intruding, or entring into, or vpon his landes, or vpon any part thereof, after his full age of one and twentie yeeres, and before he hath sued and obtained his Liuerie, or Ouster le maine for the same, out of the Queenes hands, vnder her great seale, aswell to make answer for his intrusion vpon the Queenes possession, as to make payment to the Queenes Receiuer generall of the same court, of all such rents, issues, and profits by him taken at any time after his full age of one and twentie yeeres, & before liuerie sued for the same out of the Queenes hands. And the said Master in all places, and the said Atturney, Receiuer generall, & Auditours, or two of them in the said court (the Master being absent) haue authoritie to take obligations to the Queenes vse, of euery particuler Receiuer, which shall be assigned for the said Court, and of his suerties for sure payment of his receipts, & to take Obligations to the Queenes vse, aswell of euery farmor, bailife, reeuue, or other accomptants for the true paiement of their receipts, & of euery person which is indebted to the Queene for any arrearages of his receipts, farmes, or charges, as of any other person, for any other cause or matter concerning the premisses, determinable within the said Court. And all such obligations and writings obligatorie, of what summe soeuer they be, be of the same strength, qualitie, and effect, to all intents, as writings obligatorie, made by any lay person by authoritie of the statute Staple bin, or ought to be. And the Master, Atturney, & Receiuer generall, or two of them, haue authoritie to set such fine, as by their discretion shal seeme good, vpon any person called by the Queenes proces of the same court, to appeare at Westminster in the same Court within the terme, at a certain day to him prefixed to appeare, & hath day giuen in Court to make answer to the matters objected against him in the same court in the Queenes behalfe, which doth depart the court before answer made, and Atturney put into the court, with assent of the Court, for prosecuting the matter with effect, which fine shall be leuied of his lands, tenements, goods, and cattels, to the Queenes vse. And also the said Master hath authoritie to make & appoint all and singuler particuler Receiuers, feodaries, and surueyours, in euery Shire, & also fees for executing the same vnder the seale of the same office, in such wise as the same Officers may be alwaies remouable at the discretion of the said Court. And also to
make

make allowance of the costs of all commissioners, particular Receiuers, surueyors, auditors, counsellors, and feodaries, & euery of them, by his bill assigned, which bill is a sufficient warrant to the Auditors of y^e same court, to make allowance of the same. And the said master hath authority to take Recognisances of al persons that be called into the said court to answer to any matter alledged against thē in the said court, to make their daily apparance in the said court, to answer to such matter, as to them, then & there from time to time shall be alleadged. And all such recognisances of what summe soeuer they be, be as good & effectuell in the law to all intents, as recognisances taken in the Chancery or elsewhere, befoze any Judge of record, within this realme. And the said master with the aduise of the court, or of such number of the same as then be present, so that they be two beside the said master, haue ful power to moderat such recognisances as be there forfeited, and to set fines for the same to the Queenes vse vnder y^e summones contained in the said recognisances, the same fines to be lenied by proces of Scire facias, &c. And the said master with the aduise beforesaid, hath authority to comit to ward any person or persons for his or their disobedience, contempt, or other offence to be made, triable within the said court, & vpon the said matters ordered there, to deliuer them fro prison, and to cancell & make void all recognisances & obligations taken in the same Court to the Queenes vse, when the said master, with the aduise of y^e said court or iiii. of thē, shall see the matters for the which any such recognisance or obligation was taken to be finished, & the Queene or partie thereupon satisfied, without any other warrant for the same. 3 2. H. 8. 46. 3 3. H. 8. 22. 3 3. H. 8. 39.

Recognisance of apparance.

Moderating of recognisances forfeited.

Committing to prison.

Cancelling of bonds.

28 The master and officers of the Court of Wardes and liueries, shall take for the fees of all proces, at the suit of the parties vnder the priuie seale of the same Court ii. s. vi. d. And for the fees of all commissions, directed out at the suit of the parties ii. s. vi. d. And for recording of all apparances iiii. d. and no more. 3 2. H. 8. 46. for the authoritie of the court of wardes, S. Courts.

The fees for proces & recording apparance.

1 Within what time a patent of wardship shall be sued forth after the graunting thereof. S. Patents. 1 2.

2 What those officers of the Court of wards shall forfeit, which do withdraw or conceale any of the Queens rents or profits. S. Offices 7.

3 That Liueries shall be in the order, suruey and gouernance of the Court of wardes and Liueries. S. Liueries 4.

Warrantie.

In deedes where it is contained, Dedi & concessi tale tenementum, viz. I haue giuen and graunted such a tenement, without homage or anie clause that containeth warrantie, and to hold of the donors & their heires by a certaine seruice, the donors and their heires shall be bound to warrantie. And where it is contained Dedi & concessi, &c. to hold of the chiefe Lords of the fee, or of any other then of the feoffors or their heires, reseruing

Warrantie by Dedi & concessi.

Warrantie. Waste.

ning no seruice to himself, without homage, or without the foresaid clause of warrantie, his heirs shall not be bound to warrantie, but the feoffor by reason of his gift shall be bound to warrantie during his owne life, Statut. de Bigamis. 4. Ed. 1. 6.

The husband
doth alien his
wifes land
with warranty

Assets.

2 If a man alien the land that he holdeth by the curtesie of England, his sonne shall not be barred by the deed of his father (from whom no heritage to him descended) to demand & recouer by writ of Mortdauincer of the seisin of his mother, although it be mencioned in the deede, that his father did bind him and his heirs to warrantie. And if any heritage descended to him of his fathers side, then he shall be barred for y^e value of the heritage that is to him descended. And if in such case after the death of his father, any inheritace descend to him by the same father, then shall the tenant recouer against him of the seisin of his mother by a iudicial writ, y^e shall issue out of the rolles of the Iustices before whom the plea was pleaded, to resummon his warrantie, as before hath been done in like cases, where the heire of the warrantour commeth into the court, saying, that nought descended from him vpon whose deede he is vouched. And in like maner, the issue of the sonne shall recouer by writ of Cosinage, Aiel, and Belaiel. Likewise and in like maner, the heir of the wife shall not be barred after the death of his father and mother, to demand by Action the inheritance of his mother by writ of Entrie, which his father did alien in the time of his mother, wherof no fine is leuied in the Kings court. Glouc. 6. Ed. 1. 3.

1 Where the Queene shall be bound to warrantie. See Ayde of the Queene 1.

2 Where a womans suit or her heires shall not be differred by the minoritie of the heire which should warrant the lands. S. Women. 1 5.

Waste.

No farmer shall
make waste
without war-
rant.

Farmors during their termes shall not make wast, sale, or exile of houses, woods, or men, nor of any thing belonging to the tenements which they haue in ferme, without they haue speciall grant by writting, making mencion of the couenant that they may do it. Marl. 5 2. H. 3. 24.

An action of
wast against
tenant by the
curtesie, for life,
or peres.

2 A man shall haue an action of waste in y^e Chancery against him which is tenat by the curtesie of Englad, or otherwise tenant for terme of life, or for terme of peres, or against a womā which holdeth in dower, & he which shall be attainted of wast, shall lose y^e thing wasted, & besides shall pay treble so much as the wast shall be taxed. Glocest. 6. Ed. 1. 5. After such time as a plea is moued in y^e citie of Londō by writ, the tenat shall haue no power to make any wast or estrepement of y^e land which is in demad, hanging y^e plea. And if he do, the Maior & Bailifs shall cause to be kept at y^e suit of y^e demandant. And the same ordinaunce & statute shall be obserued in other cities, boroughs, & elsewhere, throughout the whole realme. Gloucest. 6. Ed. 1. 1 3.

No waste or
estrepement
hanging anie
suite.

Proces in an
action of wast.

3 Of euery maner of wast committed in any mans inheritance by gardeins, tenants in dower, by the curtesie, or otherwise for terme of life, or for terme of peres, to the damage of another, a writ of summons shall be

be awarded, & if after the summons, he against whom the writ is brought appeare not, he shall be attached, & after the attachment he shall be distrained, and if he appeare not after the distress, the shirife shall be commanded, that in his own proper person taking with him xii. &c. he shall go vnto the place wasted & enquire of the waste committed, and returne the inquisition, and after the inquisition is returned, iudgement shall be giuen, as is contained in the statute of Gloucest. West. 2. 13. Ed. 1. 14. S. 2.

A writ to enquire of waste.

4 If any persons do let their lands to any other for terme of life, for terme of another mans life, or for terme of yeeres, & the tenants do grant their estate which they haue in y same, to any other persons to the intent y they in y reuerfion should not know their names, & after the first tenants do continually occupy the said lands, & take therof the profits to their own vse, and in the said lands commit waste to the disheritance of the in the reuerfion, in such case they in the reuerfion may haue and maintain an action of waste against the said tenants, & so recouer against them the place wasted, & their treble damages for the waste committed, as they ought to haue done for the waste by the done before the said grant. But this ordinance holdeth not place, but where y first tenants were punishable of waste before y granting of their estate, & also where after the said grant they tooke the profits of y same lands to their owne vse, at the time of the waste committed. 11. H. 6. 5.

Tenant for life or yeeres granteth ouer his estate, taketh the profits & committeth waste.

5 Whereas two or moze do hold anie wood, turbarie, fishing, or other such things in common, wherein none knoweth his own seuerall, & one of them doth commit waste against the will of the other, an action of waste may lie, and when it is come vnto iudgement, the defendand shall choose either to take his part in a place certain by the assignement of the Shirife, & by the view and oth of his neighbours swozne & tried for the same intent, or els he shall grant to take nothing from thenceforth in the same wood, turbarie, & such other, but as his partners wil take, and if he do choose to take his part in a place certaine, the place wasted shall be assigned for his part according as it was before he committed the waste. West. 2. 13. Ed. 1. 22.

Waste committed by a tenant in common.

1 The remedie where waste is committed in any wardes landes, S. Wards 10. 11. 12. 1. 22. 23.

Watch and Ward.

From the feast of Ascension vntill Michaelmas in euery Citie vi. men shall watch at euery gate, in euery bozough xii. men, in euery towne x. or foure according to the number of the inhabitants of the towne, and shall watch the towne at night, from the Sunne setting to the Sunne rising, and if any straunger doe passe by them he shall be arrested vntill morning, and if no suspition be found, he shall goe quite, and if they finde cause of suspition, they shall forthwith deliuer him to the shirife, and the shirife shall receiue him without hurt vntill hee be acquitted in due manner, and if hee will not obey the arrest, they shall leue huy and crie vpon him, and such as keepe the towne shall follow with huy and crie with

the night watch shall begin and end.

Arresting of night walkers.

all

all the towne and townes neere, and from towne to towne vntill he be taken & deliuered to the Shirife, as befoze is said, and for the arrestments of such strangers none shall be punished. Winchester. 13. Ed. 1.

Warding of
walled towns.

2 In great townes walled, the gates shalbe shut from the sunne setting vntill the sunne rising: and no man shal lodge in the suburbs or any place out of the towne from ix. of the clock vntil day, except his host wil answer for him, & the bailifes of townes every weeke, or at the least every xv. day shal make inquirie of all persons being lodged in y^e suburbs, or in fozeine places of y^e towns, & if they find any y^e hath receiued any suspicious persons not keeping the Q. peace, the bailifs shal execute right & iustice therein, Winchester. 13. Ed. 1. And Iustices of peace haue power to make inquisition in their Sessions fro time to time, & to punish the which be found in default after the tenor of the foresaid statute of Winchester. 5. H. 4. 3.

Waxe and Honie.

Using deceit
by mixture in
melting of
ware.

Every person within this realme, or the dominions of the same, which shall in the making & melting of ware, by any way or meanes vse or practise, or cause to be vsed or practised any maner deceit by mixture and mingling the same with Rosen, tallow, turpentine, or any other deceitfull thing, to the intent to sell and vtter the same, or offer the same to be sold or vttered for ware, to any person or persons whatsoeuer, shal forfait and lose the same mingled or corrupted ware. And if y^e same corrupted ware shall happen to be sold befoze such default & corruption shall be found, then the said melter, mingler, or corrupter, causer or procurer therof shal forfait for every pound ii. s. wherof the one halfe to be to the Q. the other halfe to the party deceiued, if he will sue for it, or any other person or persons that wil sue for the same, in any of the Queenes courts of Record. 23. Eliz. 8.

Every melter
of ware, shall
haue his marke

2 Every melter and maker vp of vnwrought ware, shal haue for himselfe a stampe, or mark of the bredth of six pence, wherein two letters shall be plainly grauen, signifying his name & surname, and with the same shal stampe every piece of ware, to be printed or stamped triangle, in three places vpon the outside of the vpper part of every piece so melted and cast, vpon the paine to forfait the value of every piece or cake sold, or offered to be sold, and not so stamped or marked. 23. Eliz. 8.

Wrought ware
marked.

3 No person ne persons within this realme, or the dominions thereof, shall melt, mire, worke, or sell any maner of wrought ware, stuffe or wares wrought with ware, as in lights, stafforches, redware, or sealing ware, bookcandle, searing candle, searing of dead corpes, links, greenware, redware, or any other worke, or thing whatsoeuer, to be done or wrought with ware to be put to sale, but with good, holsome, pure and conuenient stuffe, meete in such wares or worke in conuenient quantitie to be vsed. And every person or persons, that shal worke or sell such stuffe or wares of ware, shall haue a marke or stampe, or seale, to set on his or their worke by him or them wrought, or sold, to the intent that if any deceit be vsed or done,

done, it may be knowen who were the workers therof, And such person or persons as shalbe found or knowen to worke or sell, or to sale put, any such false ware, or wares wrought with ware to be put to sale, shall forfeit the same corrupted or deceitful ware & wares, the one half to be to the D. &c. and the other to y^e party deceived, if he shal sue for the same, or otherwise to him or the that wil sue for the same, by A. B. P. or J. in any of y^e Queenes courts of record, wherein no C. P. M. shall be allowed. 23. Eliz. 8.

4 Every person and persons whatsoever, which shall sell or offer to be sold, any corrupted & false mingled ware, shall forfeit the said ware, the one moiety therof to be to the D. and the other to the party deceived, if he shall sue for the same, or otherwise to him or them that will sue for the same as aforesaid. 23. Eliz. 8.

Corrupted or false mingled ware forfeited.

5 Provided alwaies that this act, as touching the marking of ware, shall not extend to any person or persons, selling the ware of their owne bees in open markets in small pieces, nor to any servant or servants, or other persons, mingling or corrupting any war, by commandement of their master or other person having authoritie over them, so as they will confess the same. 23. Eliz. 8.

Selling war of their own Bees

6 All Barrells, Kilderkins, and Firkins filled with honie by the maker and filler, shalbe marked with two letters standing for his name and surname, ech letter of an inch and a halfe of length at the least, burnt vpon the head of the calke with a hot iron, vpon the paine to forfeit. vi. s. viii. d. for every barrell, kilderkin, firkin, or calke, sold or offered to be solde, and not so marked. And if any person or persons doe or shall fill or sell, and cause to be filled or sold, or offered to be sold any barrell, kilderkin, or firkin, with honie, for, or in the name of a barrell, kilderkin, or firkin, containing lesse then 32. wine gallons the barrell, 16. wine gallons the kilderkin, and 8. wine gallons the firkin, every person and persons so offending, shal forfeit. for every halfe gallon so lacking v. s. And every person and persons that shall corrupt the honie so sold, or to be sold, with any deceitfull mixture, shall forfeit the barrell or vessel, and honie therein contained to the D. and J. &c. 23. Eliz. 8. S. Wines. 16.

Vessels of honie marked with two letters.

The content of every vessel of honie to be sold.

S. Wines 16.

Corrupting of honie.

7 If any person or persons shall at any time hereafter counterfeit any the markes aboue mencioned, or shall set to the marke or marks of any other person or persons without the consent of the same person or persons whose names the said marks shall signifie, every such offender in the premises shal forfeit for every such default v. l. the one moiety thereof to be to the D. &c. & the other moiety to y^e partie deceived, if he wil sue for y^e same, or otherwise to any other person or persons that will sue for the same by B. A. or J. in any of the D. courts of record, wherin no C. P. or M. &c. shal be allowed. And for non sufficiency of paymēt therof, to be set on y^e Billory in the next market towne to the place where such offence shalbe committed, & to suffer three months imprisonment, without baile or mainprise for every offence committed contrarie to this article of this present act, 23. Eliz. 8.

Counterfeiting of markes, or marking with anothers mark.

Waights

Waights and Measures.

One waight
and measure
thorough the
realme.

A bushell.

A quarter of
corne, a stone,
& sack of wooll.

An acre of
ground.

One waight, one measure, and one yard shalbe throughout the whole
realme, as wel without the staple as within. Magna charta 26. 14.
C. 3. 12. 27. Ed. 3. 10.

2 By the consent of the whole realme of England the measure was
made, that an English peny called a sterling, round and without clipping
shal waigh 32. coyns of wheat in the midst of the eare, & xx. s. shal make an
ounce, xii. ounces of Troy waight shall make a pound, and 8. l. of Troy
waight shall make a gallon, viii. gallons shal make a bushell, which is the
viii. part of a quarter. Compositio mensurarum. 51. Ed. 1. 12. H. 7. 5.

3 There be but onely 8. bushels rased & stricken to the quarter of corne,
and 14. l. to the stone of wooll, & 26. stone to the sacke. 11. H. 7. 4. 1. H. 5.
10. 15. R. 2. 4. 34. Ed. 3. 6. And whosoever doth buy or sell woolls at moze
waight then at 14. l. the stone, shal pay double to þe party grieved, & make
fine to the Queene, according to the quantity of the trespass. 13. R. 2. 9.

4 Threë graines of barley drie and round doe make an inch, twelue
inches doe make a foote, threë foote do make a yard, fiue yards and a halfe
do make a perch, and fortie perches in length & foure in breadth doe make
an acre, Compositio vlnarum & perticarum.

5. The breadth.	The length of the acre.		The breadth.	The length of the acre.	
	Perche.	Feete.		Perche.	Feete.
10	16	0	28	5	11 ¹² / ₁₄
11	14	9	29	5	8 ³¹ / ₅₈
12	13	5 ¹ / ₂	30	5	5 ¹ / ₂
13	12	5 ¹ / ₁₃	31	5	2 ⁴¹ / ₆₂
14	11	7 ¹ / ₁₄	32	5	0
15	10	11	33	4	14
16	10	0	34	4	11 ¹¹ / ₁₇
17	9	6 ²⁷ / ₃₄	35	4	9 ³ / ₇
18	8	14 ² / ₃	36	4	7 ⁴ / ₅
19	8	6 ¹⁸ / ₁₉	37	4	5 ¹³ / ₁₇
20	8	0	38	4	3 ⁷ / ₁₉
21	7	10 ³ / ₁₄	39	4	1 ⁰ / ₁₃
22	7	4 ¹ / ₂	40	4	0
23	6	15 ¹⁸ / ₂₃	41	3	14 ⁷³ / ₈₂
24	6	11	42	3	13 ¹⁵ / ₄₃
25	6	6 ² / ₅	43	3	11 ⁷⁷ / ₇₇
26	6	2 ⁷ / ₁₃	44	3	10 ¹ / ₂
27	5	15 ⁵ / ₁₈	45	3	9 ¹ / ₆

6 The waight of a way of Cheese must contayne xxii. cloues, that is ^{a way of} to say, euery cloue viii. pound by the waights touching. 9. lb. 6. 8. ^{Cheese.} Quare Quare. if a cloue be vii. pound or viii. pound.

7 Anno 11. H. 7. 4. and 12. H. 7. 5. It was enacted, that there should be carried into euery Citie, Borough, and Market Towne hereafter named, one of euery waight and measure, which the said king H. 7. caused to be made of Brasse, according to his standard of his Eschequer, there to remaine for euer in the keeping of the head Officer of the same Citie, Borough, or Town, as the kings Standard of waight and measure, and that the inhabitants of all Cities, Boroughes, and Market Townes within euery of the said Shires, should make, or cause to be made, to remaine with them, common Measures & waights, according to the same waights and measures, and that the same measures and waights should be viewed, examined, printed, signed, and marked, by the head Officer, in whose possession the said Standard should remaine.

Westmerl.	Towne of Appleby	Surrey	Towne of Gilt.
Northumb.	T. of Newcastle	Sussex	T. of Lewes
Cumberl.	Citie of Carleol	Dron.	Citie of Oxford
Lanc.	T. of Lancaster	Berk.	T. of Reding
Ebor.	Citie of Yorke	Hereford	T. of Hereford
Lincoln.	Citie of Lincolne	Salop.	T. of Shrewesbury
Derb.	T. of Derby	Staff.	T. of Stafford
Noting.	T. of Nottingham	Glouc.	Citie of Gloucester
Lecest.	T. of Leicester	Wigorn.	Citie of Worcester
War.	Citie of Couentrie	Wiltel.	Citie of New Sarisbur.
Rotyl.	T. of Uppingham		
North.	T. of Northampton	South.	Citie of Winchester.
Bed.	T. of Bedford	Som.	T. of Ilchester
Buck.	T. of Buckingham	Dorset.	T. of Dorchester.
Cantab.	T. of Cambridge	Devon.	Citie of Excester
Hunt.	T. of Huntingdon	Cornew.	T. of Lestuchiel
North.	Citie of Norwich	London	Citie of London
Suff.	T. of S. Edmondesbury	Bristol	T. of Bystow
		Quing port.	Castel of Douer
Essex.	T. of Chelmsford	Couentrie	T. of Couentrie
Hertf.	T. of Hertford	South.	T. of Southhampton.
Midd.	City of Westminster		
Kent.	T. of Maidstone	Chesler.	Citie of Chester.

The names of the Townes limited for the keeping of Waights and measures.

8 Euery head Officer hauing the said waights and measures signed and printed, vnder the signe and print for the same, hath authoritie to make, signe, and print, like waights & measures vnto euery the Queenes subiects truly requiring the same, taking for marking and sealing of euery bushell i. d. of euery other measure ob. of euery hundredth waight a peny,

Head Officers may signe waights and measures to euery man that will.

Waightes and Measures.

a peny, of euery halfe hundzeth ob. and of euery waight vnder, a farthing and not aboue, vpon paine to forf. for euery time that he refuseth, or doth the contrary xl. s. to the D. and J. that will sue by A. of debt, wherein no

24. c. 11. H. 7. 4. 12. H. 7. 5.

None shal buy
or sell but with
waights and
measures sig-
ned & printed.

9 No Marchant or other person within any Citie, or market towne, shall buy or sell with any weight or measure, except it be marked, signed, or printed, in forin aforesaid, nor any other person out of the said cities, boroughs, & Market towns, except it be like & equal with the said standard. And euery person aswell without cities, boroughs, and market townes, as within, shal buy and sell with a bushell sealed, signed, & marked, after the forme aforesaid, & none otherwise. But this act shal not extend to any person selling or buying by water measure within the shipbord, but the same shal onely containe five pecks after the said standard rased & striken. Neither shall this act extend to any waights appertayning to the cunage of Tinne within the Counties of Cornewall & Devonshire, but all such waights shalbe vled & corrected as hath been vled. 11. H. 7. 4. 12. H. 7. 5.

Water mea-
sure.

Waights for
cunage of
Tinne.

Viewing and
examining
waights and
measures.

10 All the Maiors, Bailifes, and other head Officers of euery Citie, Borough, or Market towne, shall cause twice in the yeere, or oftner, as they shall thinke necessarie, all waights and measures within the said Cities &c. to be brought before them, and to be duely viewed and examined, and such as they shall find defectiue, immediatly to be broken and burnt, and the offender shall forf. for the first time vi. s. viii. d. to the said Maior, Bailife, or any other hauing iurisdiction and correction in that behalfe, and at the second time xiii. s. liii. d. and at the third time xx. s. and for the further punishment, shalbe set vpon the Pillorie to the example of other. But the examination of defaults abouesaid, and punishment to the offenders of euery offence committed within any of the five Ports, shall be done by the Lord Warden of the said five Ports, or by his lieutenant and none other. 7. H. 7. 3. 11. H. 7. 4. 12. H. 7. 5. S. Iustice of peace 92.

Euery citie,
borough, and
market towne
shal haue a co-
mon ballance
and waights.

11 Euery Citie vpon paine of x. li. euery Borough vpon paine of C. s. and euery Towne where a Constable is, vpon paine of xl. s. to be leuied to the vse of the Queene, so often as they shall be found defectiue, shall haue a common Ballance with waights, according to the Standard of the Eschequer. 8. H. 6. 5. But these penalties shall not extend to any Towne which is no Citie, Borough, or market towne. 11. H. 7. 4. By the foresaid statute of 8. H. 6. the Burgesses of the Borough of Dorchester shal not be disturbed of their right to vse their weighing by xii. Myles about the same Borough, vsing alwaies such common waights as be according to the Standard of the Eschequer. 9. H. 6. 6.

Euery one may
weigh at the
common bal-
lance and
waights.

12 At the common ballance, and common waights sealed, of euery Citie, Borough, and Towne, all the inhabitants of the same Citie, Borough &c. may freely weigh without any thing paying, taking neuertheless of foreigners for euery draught within the waight of xl. pound a far-
thing,

thing, and for euery draught betwixt xl.li. & C.li. an halfe peny, and for euery draught betwixt C.li. and a D. li. a peny, at the most, whercof the waights shalbe maintained, and the officer rewarded by the discretion of the chiefe of the citie, borough, &c. according to his attendance. 8.H.6.5.

13 Iustices of peace, Sherifs, Eschetoys, and other commissioners assigned by the Queene, haue power by commission to enquire of all falsifiers and counterfaiers of false waights, & to take and imprison them, and in prison to hold them without mainprise, vntil they be acquitted or attainted, and if they be attainted, their bodie shall remaine in prison vntil they haue made fine and ransome, according to the Iustices discretion. 9.H.5.8. S. Iustices of peace 92.

Counterfai-
ters of waights

14 Wools, and all maner of Auer de poyls shalbe weighed by the ballance which is equall, and by lawfull waights sealed according to the standard of the Eschequer, so that the tongue of the ballace shalbe equal, without bowing to the one side, or to the other, or without putting hand or foot, or other touching thereof, and he which doth the contrary, to the damage of the seller, shal forfeit to the Queene the value of the goods so waighed, shalbe two yerres imprisoned, and make fine at the Queenes pleasure, and the plaintife shal haue his quadruple damages. 25. Ed. 3. 9. 27. Ed. 3. 10. 13.R.2.9. 8.H.6.5.

Weighing by
equal ballance.

15 By the Statutes intituled, Assisa panis & ceruixæ, Statutum panis & ceruixæ, Iudicium Collistrigij, Statutum de pistoribus, Braceatoribus, & alijs vitellarijs, made 5 I.H. 3. and 5 I. Ed. 1. there were seuerall ordinances provided for the prices of Bread and Ale, according to the price of corne, viz. when a quarter of Barley was sold for ii.s. that then Brewers should sell iiii. gallons of Ale for i. d. when barley was sold for ii. s. vi. d. the quarter, then vii. gallons for ii. d. when barley was sold for iii. s. the quarter, then iiii. gallons for i. d. when for iii. s. vi. d. the quarter, then v. gallons for ii. d. and when for iiii. s. the quarter, then two gallons for i. d. & so should rise and fall, as the price of corne did rise and fall by vi. d. in the quarter. And there be also seuerall waights assessed of the wastel bread, the Cinnial, the rocket bread, and household bread, according to the price of wheat rising or falling betwixt xii. d. and ii. s. the quarter, all which sorts of bread were ordained to be wayed by sterling money, as it was currant in the Raignes of king H. 3. and king Edw. 1. viz. that a sterling peny should way xxii. graines of wheat in the middest of the eare, & that xx. of those pence should make an ounce, which values, time sithence hath much altered, but omitting the value, and casting the iust waight of an ounce, the same proportion in waight which the statute appointeth, is to be obserued, and the waights & measures which be kept and vled in Cities, Townes, and Boroughs, according to the statute of 11.H.7. and 12.H.7. do agree with the foresaid old Statutes in effect. And in the said old statutes it is ordained, that the prices of bread and Ale shall not be changed, but as corne riseth or falleth

The Assise of
bread and ale.

Sterling peny.

vi. s. in the quarter. And that if the Baker or Brewer do breake the assise, the first, the second, and the third time, he shalbe amerced according to the quantity of his offence, except his offence be great, but if his offence be great, or that he doth offend a fourth or more often times, the Baker offending shalbe set vpon the Pillorie, and the Brewer shalbe punished by the Tumbrel, which punishments shal not be pardoned for gold or silver. And if the Bakers farthing bread be found lacking ii. s. vi. d. or vnder, (viz. an ounce and demy Troy) he shalbe amerced, and if it exceed, he shalbe set vpon the Pillory. And the Pillory shalbe of sufficient strength, that the iudgment may be executed vpon the offenders without peril of the bodie. See Brewers 2.

1 By what measure the Queenes Purueyors shal take corne and other vitale. S. Purueyors 16.

2 For the length, breadth, and waight of all maner of Cloth, S. Draperie 1. & c. 73.

3 For the assise, length, and breadth of Couerlets made in Yorkeeshire. S. Couerlets 3.

4 For the content of ech vessell of wine, hony, and oyle. S. Wine 16.

5 For the content of a But, Barrell, halfe barrell, and other vessell of Salmon, S. Fish, 8.

6 For the content of a barrell, halfe barrell, and firkin, of herrings and Eeles, S. Fish 9. 10.

7 For the content and waight of barrells and firkins of sope, S. Sope 1.

8 For the content of euerie vessell made for Ale and Beere, See Cowpers 2.

9 How he shall be punished, which occupying buying of Pewter or Brasse, doth occupy any deceiueable beams, and waights. S. Pewter 4.

10 That woollen cloth shall be sold by the yarde and ynche, S. Draperie 73.

11 By what measure Millers shall take their Tolle, S. Tolle 2.

12 For the waight of Hempe, and how much shall be accompted a stone, S. Cables 2.

13 The content of euerie barrell, halfe barrell, and kilderkin of Honie, S. Waxe & c. 6.

14 For the measure of a Myle. S. Cotages 15.

Weares.

Bridges.
Banks.

By the statute of Magna Chart, cap. 15, 16, and 23. it was prouided, That no village or freemen should be distrained to make any bridges or banks, but such as by right they had wout to make. Nor that any bakes should bee from thenceforth defended, but such as were defended in the time of king H. the 2. and by the same place and the same bounds. And that all weares should be wholly put downe by Thames, Medway, and through all England, sauing by the Sea coast.

Weares.

2 All such weares, mils, stankes, stakes, and kiddles, which be leuied & set vp in the time of king Ed. 1. and after, whereby ships and boates be disturbed that they may not passe in such riuers as they were wont, shall be taken away, & pulled downe, and not be set vp againe, & thereupon writs shall be sent to the Sherifes of the places where need is, to suruey, inquire and thereof make execution. And also Iustices shall be assistant as often as need shall require. 25. E. 3. 4. And if any such nuisance be pulled downe, according to the intent of the foresaid statute, he that shall leuie or set vp the same againe, & therof shall be in due maner attainted, shall forfeit to the C. Markes, to be leuied by the estreats of the Eschequer. And the same Law shall hold place of any annoyauce committed by the enhauncing of such weares, mils, stankes, stakes, and kiddles, as by the making of new. 45. Ed. 3. 2.

3 Commissions shall be directed in due forme to sufficient persons to be Iustices in euery County of England where neede shall be, to suruey and keepe the waters and great riuers there, and to correct and amend the faults, and to make due execution of the foresaid statute of 25. and 45. Ed. 3. according to the effect thereof, aswell by their suruey, aduice, and discretion, as by the Enquests therupon to be takē within franchises & without, if and when need shall be, and to heare and determine the foresaid things. And moreouer to suruey the weares, mils, stankes, stakes, and kiddles anciently vsed and leuied before the time of king Ed. 1. And those which they shall find too much enhaunced or streightned, to abate, reforme, and amend, in maner and forme aforesaid: Sauing alwaies a reasonable substance of the weares, mils, stankes, stakes & kiddles aforesaid, so in old time made & leuied. 1. H. 4. 12. S. 4. H. 4. 11. That Commissions shall be made to certain Iustices and other in euery County where neede shall be, to enquire of all that which is contained in the said statutes, and to punish the offenders of the same by fine, according to their discretion: Sauing alwaies to the Queene the paines comprised in the said statutes. And the estreats of such fines shall be deliuered by the said Iustices to the Sherife of euery County by Indenture, and the Sherife shall pay of the issues and profits rising of the said estreats, to euery of the said Iustices for euery day, that he shall trauell to exercise the said commission, iiii. s. and the Sherife shall thereof haue allowance in the Eschequer.

4 And if any such annoyauce of weares, mils, stankes, stakes, and kiddles of passages, and streightnings in old time made and leuied, be iudged or awarded by the said Iustices to be abated or amended, he which hath the freehold thereof, shall execute the same at his owne costs, within halfe a yeere after notice thereof to him giuen, vpon paine of C. Markes, to be paid to the Queene by the estreats of the Eschequer. And he which doth make them to be set vp againe, enhaunced, or streightned, contrarie to the said Iudgement, and thereof is duely conuict, shall forfeit to the Queene C.

Markes, to be paid as is aforesaid. And in case any man feeleth himselfe grieved by execution, or other meane in this behalfe against right and reason, let him pursue it, and he shall haue right and reason. 1. H. 4. 11.

An offence not reformed according to the commissioners award.

5 If by award or iudgement of any of the said Commissioners assigned according to the said statute of 1. H. 4. it be founde that any such weares, fishgarths, mills, mildams, millstanks, lockes, hebbing weares, stakes, kiddles, hecks, or floodgates be made, leuied, enhaunced, freighted, or enlarged, contrarie to the same statute, if the offendors in this behalfe, contrary to the said award, rule, and iudgement, being duely warned by the sherife or vndersherife of the Countie or Counties where such weares, fishgarths &c. & other annoyances, disturbāces, or impediments aforesaid shalbe found, made, leuied, freighted, or enlarged, (by Scire facias being directed to the said Sherife or vndersherife) do not within thre Moneths next after the said garnishment made, at their owne costes & charges duely and fully amend, break downe, & auoid the said making, leuying, enhancing, freighting, or enlarging, being defectiue as in the foresaid statute is specified: Then he or they which shal in this case offend, shal forf. to the D. for euery default C. marks, by transcript to be deliuered into the Eschequer, in manner and forme, as in the said statute is contained. And if the offendor, his heire, heires, assignee, or assignees, or any of them do defer or continue the same defaults, contrary to the foresaid award, rule, & iudgement of the Commissioners aforesaid, he or they so differring or cōtinuing the same default, shal forf. for euery moneth after the said iii. moneths ended, that the same default shal remaine & be not corrected, amended, nor reformed, C. Marks to the D. and any of her subiects that wil sue by A. of debt, wherein no W. C. P. &c. 12. Ed. 4. 7.

An offence made or committed by a stranger contrary to the commissioners award.

6 If any person other then such against whom such award, rule, or iudgement was made and had, not being heire or assignee to them, or any of the, wil presume to occupy or continue any such weares, fishgarths, mills, mildams, millstanks, locks, hebbingweares, stakes, kiddles, hecks, floodgates, or other disturbances or impediments, as is aforesaid, he or they which do presume to occupy or continue, shall forf. for euery default for euery moneth, as is aforesaid C. Marks to the D. and any of her subiects that will sue by A. of debt, wherein no W. C. P. &c. 12. Ed. 4. 7. S. Sewers.

White Ashes.

White Ashes shal not be transported.

ND person shall ship, lade, carrie, or conuey any white Ashes toward the parties beyond the seas, vpon paine of forf. of vi. s. viii. d. for euery bushel of such Ashes so to be shipped or laden, to be caried or conueyed into the parts beyond the seas, to the D. and J. to be recovered by A. J. &c. wherein no W. C. P. &c. 2. Ed. 6. 26.

Wildfoule.

Taking or destroying the eggs of wildfoule.

FROM the first day of March vnto the last day of June perely, no person shall willingly withdraw, purloine, take, destroy, or conuey any eggess of

of any kind of Wildfoule, from any nest or place where they shall be layed by any kind of the same wildfoule, upon paine of imprisonment for one whole yere, & to forf. to the D. & J. &c. for euery egge of any Crane or Bustard, so destroyed or taken from any nest or place xx. d. and for euery egge of euery Bitter, Heron, or Shouelard viii. d. and for euery egge of euery Mallard, Teal, or other wildfoule a penny, wherein no W. E. P. &c. This act shal not be hurtful to any persō that wil destroy any crows, choughs, rauen, and bussards, or their egges, or any other foule or their egges, not comestible or vled to be eaten. 25. H. 8. 11. 3. Ed. 6. 7.

Willes and Testaments.

All and euery person & persons, hauing any manors, lands, tenemēts, ^{10. Julij, An. D. 1540.} or hereditamēts, holden in Socage, or of the nature of socage tenure, and not hauing any lands &c. holden of the Queene by knights seruice, by Socage tenure in chiefe, or of the nature of Socage tenure in chiefe, nor of any other person or persons by knights seruice, shall haue full and free liberty, authoritie, and power, to giue, dispose, will, and deuise, aswell by his last Will and Testament in wryting, or otherwise, by any act or acts lawfully executed in his life, all his said lands &c. or any of them at his pleasure: any law &c. notwithstanding. 32. H. 8. 1. ^{Lands holden in Socage, and none in chiefe, or by knights seruice.}

2 All and euery person and persons, hauing manors, lands, tenements, or hereditaments, holden of the Queene her heires or successors in socage, or of the nature of Socage tenure in chiefe, and hauing any other landes &c. holden of any other person or persons in socage, or of the nature of socage tenure, and not hauing any lands &c. holden of the D. by knights seruice, nor of any other Lord or person by like seruice, shall haue full and free libertie, authoritie, and power, to giue, will, dispose, and deuise, aswell by his last Wil or testament in wryting, or otherwise, by any act or acts lawfully executed in his life, all his said manors, lands, tenements, and hereditaments, or any of them at his free will and pleasure: any law, statute, custome, &c. notwithstanding. Sauing to the D. &c. all her right title, and interest of primer seison and reliefe, and also all other rights & dueties for tenures in Socage, or of the nature of Socage tenure in chiefe, as heretofore hath bin vled and accustomed, the same lands &c. to be taken, had, and sued out, of and from her hands by the person or persons to whom any such lands &c. shalbe disposed, willed, or deuised, in such and like maner & forme, as hath bin vled by any heire or heires, befoze the making of this statute. And sauing and reseruing also fines for alienatiōs of such lands &c. holden of the D. in socage, or of the nature of socage tenure in chiefe, wherof there shalbe any alteration of freehold or inheritance, made by wil or otherwise, as is aforesaid 32. H. 8. 1. ^{Lands holden of the Queene in Socage in chiefe, & none holden by R. seruice.}

3 All and singular person & persons, hauing any manors, lands, tenements, or hereditaments of estate of inheritance, holden of the Queenes highnesse in chiefe by knights seruice, or of the nature of knights seruice ^{The Queenes primer seisin, & fines for alienations saved.} ^{Lands holden of the Queene in chiefe by R. seruice.}

in chiefe, shall haue full power & authority by his last Will by writing, or otherwise, by any act or acts lawfully executed in his life, to giue, dispose, will, or assigne two parts of the same landes &c. in three parts to be deuided, or els as much of the said landes &c. as shall extende or amount to the perely value of two parts of the same in three parts to be deuided in certainty, and by speciall diuisions, as it may be knowen in seueralty, to, and for the aduancement of his wife, preferment of his childzen, and payment of his debts, or otherwise at his pleasure: any Law &c. notwithstanding. Sauing and reseruing to the Q. the custodie, wardship, and primer seisin of any of them, as the case shall require, of as much of the same landes &c. as shall amount and extend to the full and clere perely value of the third part thereof, without any diminution, dower, fraude, couin, charge, or abridgement of any of the same third part, or of the full profits thereof. Sauing also to the Queene &c. all fines for alienations of all such landes &c. holden of the Queene by knights seruice in chiefe, whereof there shall be any alteration of freehold, or inheritance, made by will or otherwise, as is abovesaid. 32. H. 8. 1.

Wardship,
primer seisin,
& fines for alienations
saued to the Queene.

Lands holden
in chiefe, & o.
ther landes
holden by K.
seruice.

4 All and singuler person and persons, hauing manors, landes, tenements, or hereditaments of estate of inheritance, holden of the Queene in chiefe by knights seruice, & hauing other landes &c. holden of the Queene or of any other person or persons by knights seruice, or otherwise, euery such person and persons shall haue full power to giue, dispose, wil, or assigne by his last Will in writing, or otherwise, by any act or acts lawfully executed in his life, two parts of the same landes &c. in three parts to be deuided, or els as much of the same landes &c. as shall extend to the perely value of two parts of the same in three parts to be deuided in certainty, & by speciall diuisions, as it may be knowen in seueralty, to, and for the aduancement of his wife, preferment of his childzen, and payment of his debts, or otherwise at his pleasure: any law &c. notwithstanding. Sauing to the Q. the custodie, wardship, & primer seisin, or any of them, as the case shall require, of as much of the same landes &c. as shall amount and extende to the full and clere perely value of the third part thereof, without any manner diminution, dower, fraud, couin, charge, or subtraction of the same third part, or of the full profits thereof. Sauing alway & reseruing to the Q. all fines for alienation of any such landes &c. holden of her by knights seruice in chiefe, whereof there shall be any alteration of freehold or inheritance, made by Will or otherwise, as is abovesaid. 32. H. 8. 1.

Wardship,
primer seisin, &
fines for alienations
saued to the Queene.

Certain landes
holden onely of
common persons
by knights seruice,
and other
in socage.

5 If any person or persons, hold any manors, landes, tenementes, or hereditaments onely of any other Lord or person then of the Queene by knights seruice, and other landes &c. in Socage, or of the nature of Socage tenure, then euery such person shall or may giue, dispose, or assure by his last will, or otherwise, by any act or acts lawfully executed in his life, two parts of the said landes &c. holden by knights seruice, or of as much thereof

as shall amount to the full verely value of two parts, in maner and foyme as is aboue declared, and also all the lands and tenements holden by Socage, or of the nature of Socage tenure at his will and pleasure, as is aboue witten. Sauing to the Lord of the lands and tenements holden by knights seruice, for his custodie and wardship, as much of the same lands and tenements as shall amount to the full and clere verely value of the third part of the same lands and tenements holden by knights seruice, without any diminution, dower, fraud, couin, charge, or subtraction of any portion of that third part, or of the clere verely value thereof, in maner and foyme aforesaid. 32.H.8.1.

The Lords wardship of the third part laued.

6 If any person or persons hold any manors, lands, tenements, or hereditaments, onely of the Queene by knights seruice, & not in chiefe, or hold any lands &c. of our said Soueraigne Lady by knights seruice, and not in chiefe, & also hold other lands &c. of any other person or persons by knights seruice, & also hold other lands &c. of any other person or persons in socage, or of the nature of Socage tenure: Then all & euery such person and persons shall and may giue, dispose, will, deuise, and assure by his last wil, or otherwise, by any act or acts lawfully done or executed in his life, two parts of the same lands &c. holden of the Q. by knights seruice, and two parts of the same lands &c. holden of any other person or persons by knights seruice, or as much of either of them, as shall amount to the full verely value of two parts, in maner & foyme as is aboue declared, & also of all his lands and tenements so holden in socage, or of the nature of Socage tenure, at his free wil and pleasure. Sauing and reseruing to the Queene the custodie and wardship of as much of the same lands &c. as shall extend & amount to the full clere verely value of the third part of the said lands &c. so holden of her by knights seruice, without any diminution, dower, fraud, couin, charge, or subtraction of any portion of that third part, or of the full profits thereof. And also sauing to the Lords of whom any of the said lands &c. be holden by K. seruice, for custody & wardship, as much of y^e same lands &c. holden of them, or any of them by knights seruice, as shall extend and amount to the clere verely value of the third part of the same, without any diminution, charge, fraud, couin, or subtraction of any portion of that third part, or of the clere verely value of the third part thereof, in maner & foyme aforesaid. 32.H.8.1.

Certain lands holden of the Q. and certain of others by knights seruice, and other lands holden of others in Socage.

The Queene & other Lords third part laued.

7 If that third part of the manors, landes, tenementes, or hereditaments, which in any of the cases abouesaid, shall come to the Queene, her heires &c. by vertue of this act, as is abouesaid, be not, or doe not amount to the clere verely value of the full third part of all the sayd landes &c. whereof the Queene is or shall be intituled to haue the custodie or primer seisin, as is abouesaid: Then our said Soueraigne Ladie and her heires, shall and may at her or their free libertie, take into her or their hands and possession, as much of the other two partes of the said lands &c. as with

The Queene or other Lords may take so much as will make up their full third part.

that of the same lands &c. remaining in her hands, shall make by the cleere perely value of the full third part of the said lands &c. so to be had to the Queene in title of wardship and primer seisin, or any of them, as the case shall require. And like benefit and aduantage shall be giuen to euery Lord & Lords, of whom any such lands &c. bin or shall be holden by knights seruice, as is abouesaid, concerning onely his third part, of, or for title of wardship. 32. H. 8. 1.

Suing of
liuerp.

Fines for alie-
nations vpon
common reco-
ueries.

8 Every person and persons shall sue their liueries for possessions, reuerfions, or remainders, and also pay relieves and heriots, after such maner and forme, as they should or ought to haue done before the making of this act, and as if this act had neuer bin made. And fines for alienations shall be paid in the D. Chauncery, for and vpon writs of Entrie in the Post to be obtained in the same Court for common recoueries to be had or suffered of any manors, lands, tenements, or hereditaments holden of the D. in chief, in like maner and forme as is vsed vpon alienations of such lands &c. so holden in chiefe by fine or feoffement. But in such cases where fines for alienations shall be paid in the Chancery for writs of Entrie in the Post, as is aforesaid, then none other fine shall be paid in the same Court for any such writs: any vslage &c. notwithstanding. 32. H. 8. 1.

The womans
title of dower
in the two
parts saued.

9 Sauing to all and euery woman and women, all & euery such right, title, and interest of dower, as they or any of them ought to haue, or shall be iustly intituled to haue claime, or demand of any manors, lands, tenements, or hereditaments, by the Lawes of this Realme, to be taken or assigned to them, or any of them, out of the two parts of the said lands &c. seuered and deuided from the third part, as is abouesaid, and not otherwise. And sauing also to the Queene, her heires and successors, the reuerfions of all such tenants in dower and iointure, immediatly after the death of such tenants, if they shall happen to die during the minority of the Queenes ward, 32. H. 8. 1. S. Wardes 25.

The reuerfion
saued to the D.
after tenant in
dowers death.

The expolition
of the aforesaid
Stat. of 32. H. 8.

10 Where it is contained in the same Statute of 32. H. 8. within diuers branches of the same, That all and singuler person and persons, hauing any manors, lands, tenements, or hereditaments, of estate of inheritance, should haue free liberty to giue, wil, dispose, or assigne, aswel by his last will & testament in writing, or otherwise, by any act or acts lawfully executed in his life, his manors, lands, tenements, or hereditaments, or any of them, in such maner & forme, as in the same Act it doth appeare, which words of estate of inheritance by the authority of this Parliament, are and shall be expounded, taken & iudged of estates in fee simple only. 34. H. 8. 5.

The stat. exte-
ndeth only to fee
simple lands.

Sole tenant,
tenant in com-
mon and copar-
cenary in fee,
of lands in pos-
session, in reuer-
son, remainder

11 All and singuler person & persons, hauing a sole estate or interest in fee simple, or seised in fee simple in coparcenary, or in common in fee simple, of, and in any manors, lands, tenements, rents, or other hereditaments in possession, reuerfion, or remainder, or of rents or seruices, incident to any reuerfion or remainder, and hauing no manors, lands, tenements or hereditaments

reditaments, holden of the Queene &c. or of any other person or persons by knights seruice, shal haue full & free liberty, authority, and power, to giue, wil, dispose, or deuise, to any person or persons (except bodie polittike and corporat) by his last Will & testament, in writing, or otherwise, by any act or acts lawfully executed in his life, by himselfe only, or by himselfe & other iointly, seuerally, or particularly, or by all those waies or any of them, as much as in him of right is, or shall be, all his said lands &c. or any of them, or any re'ts, commons, or other profits or commodities, out of, or to be perceiued of the same, or out of any parcel thereof, at his owne free will and pleasure: any clause in the said former act notwithstanding. 34. H. 8. 5.

Deuising of
rent or common
out of land.

12 All and singuler person & persons, hauing a sole estate or interest in fee simple, or seised in fee simple in coparcenary, or in common in fee simple, of, or in any manors, lands, tenements, rents, or other hereditaments, in possession, reuerſion, or remainder, or of, & in any rents or seruices, incident to any reuerſion or remainder, holden of the Q. by knightes seruice in chiefe, or of the nature of knights seruice in chiefe, hath & shal haue full & free liberty, power, & authority, to giue, dispose, wil, or assigne to any person or persons (except bodie polittike & corporat) by his last will and testament in writing, or otherwise, by any act or acts lawfully executed in his life, by himselfe only, or by himselfe & other iointly, seuerally, or particularly, or by all those waies, or any of them, as much as in him of right is, or shall be, two parts aswel of all the said lands &c. as of all and singuler his other rents & hereditamēts, or of any of them, or any rents, cōmons, or other profits or cōmodities, out of, or to be perceiued of the same, two parts, or out of any parcell thereof, in three parts to be deuided, or as much thereof as shal amount to the full & clere yerely value of two parts thereof, in iii. parts to be deuided, of what person or persons soeuer they be holden at his free wil and pleasure. And the said will so declared, shal be good & effectual for two parts of the said landes &c. although the Will so declared be made of the whole, or of more then of two partes of the same. The same deuision to be made and set forth by the deuisor or owner of the same lands &c. by his last Will in writing, or otherwise in writing. And in default thereof, by a Commission to be graunted out of the Q. court of Wards & liueries, vpon the enquirie of the true value thereof, by the othes of xii. men, and returne or certificat thereof had in the same Court of the said lands &c. diuision to be made by the Waster of the Wards & liueries, if the said Waster and the parties thereunto cannot otherwise agree vpon the same diuision. And the issues & profits of the two parts of the same lands &c. vpon euery such deuision to be restozed to them that shal haue right or title to the same, from the death of the owner or deuisor thereof. 34. H. 8. 5.

Certain lands
holden of the
Q. by knightes
seruice in Ca-
pittie, and other
of other perſons

A Will good
for two parts
though it be
made for the
whole.

Deuision of the
lands where
the Queene is
intituled to a
third part.

13 All and singuler person and persons, hauing a sole estate or interest in fee simple, or seised in fee simple in coparcenary, or in cōmon in fee simple, of, and in any manors, lands, tenements, rents, or other hereditaments

Certain lands
holden of the
Q. or others by
knightes seruice
and certaine in
socage.

in

in possession, reuerſion, or remainder, or of & in any rents or ſeruices incident to any reuerſion or remainder, holden of the D. &c. by knights ſeruice and not in chiefe, or holden of any other perſon or perſons by knights ſeruice, ſhall haue full and free libertie, authoritie, and power, to giue, diſpoſe, wil, or deuife to any perſon or perſons (except bodieſ politike & corporat) by his laſt will and teſtament in wꝛiting, or otherwiſe, by any act or attes lawfully executed in his life, by himſelfe ſoly, or by himſelfe & other iointly, ſeueraly, or particularly, or by al thoſe waies, or any of them, aſmuch as in him of right is, or ſhalbe, two parts of all the ſaid lands &c. or of any of the ſo holden by knights ſeruice, or any rents, cōmon, or other profits or cōmodities, out of, or to be perceiued of the ſame, two parts, or out of any parcell thereof, in thꝛee parts to be deuided, or as much thereof as ſhal amount to the full & clere perely value of two parts thereof, in iiii. parts to be deuided, at his free wil and pleaſure. And the ſaid will ſo declared, ſhall be good and effectual for two parts of the ſaid landes &c. although the Will ſo declared be or ſhalbe made of the whole landes &c. ſo holden by knights ſeruice, or of moꝛe then of two parts of the ſame, and alſo for the whole of all other ſuch landes &c. or any of them, not holden of the D. by knights ſeruice in chiefe, or otherwiſe by knights ſeruice, or of any other perſon by knights ſeruice, and of any rents, commons, or other profits or commodities, out of, or to be perceiued of the ſame, or out of any parcell thereof, at his free wil and pleaſur. The ſame deuifion to bee made and ſet forth by the owner of the ſaide landes &c. by his laſt Will in wꝛiting, or otherwiſe in wꝛiting. And in default thereof, for as much of the ſame landes &c. as ſhall concerne the D. intereſt, by commiſſion to be directed out of the D. court of Wards & liueries, in maner & foꝛme afoꝛelaiſd, if the ſaid Maſter of the Wards &c. and the parties thereunto cannot otherwiſe agree vpon the ſame diuiſion. And reſtitution of the iſſues & profits of the two parts thereof ſhalbe had & made in maner and foꝛme aboueſaid. And for ſuch of the ſame landes &c. as ſhal concerne the intereſt of any other Lord or Lords, by commiſſion to be graunted out of the Chancery, to enquire therof by the othes of xii. men, if the ſame Lord or Lords, and the parties therunto cannot otherwiſe agree vpon the ſame deuifion 34. H. 8. 5.

A will made of the whole ſhalbe good for two parts.

An expoſition of the ſauings, reſeruings, and prouiſions made in theſe two Acts.

14 The ſauings, reſeruings, and prouiſions, concerning ſauing of the cuſtodie, wardſhip, reliefe, & primer ſeiſin to the Queene of ſuch manors, lands, tenements, & hereditaments, or as much thereof as ſhall appertaine vnto her by vertue of theſe two Acts, during the Queenes intereſt therein: And alſo of the cuſtody and wardſhip to other Lords of as much of ſuch landes &c. holden of them as ſhall amount and extend to the clere perely value of the thirde part thereof aboue all charges, without any diminution or abridgement of the thirde part, or of the full profits therof, compriſed in diuers articles in the ſaid former Act of 32. H. 8. contained, be and ſhall be expounded, and taken as hereafter enſueth, viz. The Queene ſhall haue & take

take for her full third part of all such manors, lands, tenements, & hereditaments, whereunto she is or shalbe intituled by the said former Acte, and by this Act, such lands &c. as shall by any meanes descend, or come by descent, as well of estate of inheritance, in fee taile, as in fee simple, or in fee taile onely, to the heire of any such person that shall make any wil, gift, disposition, or deuise, by his last will in writing, or by any act or acts lawfully executed in his life, immediatly after the death of the same deuisor or owner thereof. And the wil, gift, and deuise of euery such deuisor or owner, of, and for the two parts of the said lands &c. residue, shalbe and stand good and effectuell in the law, albeit the same wil, gift, or deuise be had & made of all his fee simple lands &c. or of the moze part thereof. And in case the same lands &c. which after the death of any such owner or deuisor which shall make any such gift, disposition, or deuise by his last will in writing, or otherwise by any act or acts lawfully executed in his life, to his wife, children, or otherwise as is aforesaid, which shall immediatly after his death descend, reuert, remaine, or come to his heire or hetres, as well of estate of inheritance in fee taile, as of estate in fee simple, or fee taile onely, be not or shal not amount or extend to the full clere perely value of the third part, to the full profits thereof, of al the said lands &c. of the said deuisor or owner, according to the true intent of the said former act, and of this Act: then the D. shall & may haue and take into her hands and possession to make by her full third part with the full profits thereof, according to her interest therein, as much of the other lands &c. willed, giuen, disposed, or assigned by any such person to his wife, children, or otherwise as is aforesaid, as with such of the same lands &c. descended, or by any meanes come vnto the heire (as heire of any such deuisor or owner) shall make by the clere perely value of the said full third part, with the full profits thereof of all the said land &c. of euery such owner or deuisor so to be had to the Queene in title of wardship or primer seisin, as the case shal require. And the diuision thereof to be had and made, and with the restitution of the profits of the two parts of the said lands &c. in such maner and forme as is aboue rehearsed. And like benefit and aduantage shall be giuen, had, and taken to euery Lord & Lords, of whom any such lands &c. be or shalbe holden by knights seruice, in maner and forme abouesaid, concerning only his or their third parts thereof, according to their said interest therein. 34. W. 8. 5.

A remedy for the D. or other Lords, where a full third part is not left them

15 If it happen the same third part, or any part thereof, left, willed, or assigned to the Queene, or other Lord, at any time during their interest therein, to be lawfully euicted or determined: Then the Queene and the other Lord shal haue as much of the two parts residue, as shall accomplish and make by a full third part in clere perely value, after the rate and portion of such lands &c. as shal then remaine of the same third part not euicted or determined, and of the other two parts of such lands &c. as the D. or other Lord should or ought to haue had by vertue of y^e saide former act,

A remedy for the Queene or other Lord, if their third part be euicted.

and

and this act, & the same to be deuised in forme aboue rehearsed : any clause in the said former act of 32. H. 8. notwithstanding &c. 34. H. 8. 5.

A pardon of alienation must be sued by those to whom lands holden in Capite be deuised.

16 The sauving and reseruing for fines for alienations by any such last Will and Testament of such landes &c. holden of the Queene by knights seruice in chiefe, or of the nature of knights seruice in chiefe, or by Socage in chiefe, or of the nature of Socage tenure in chiefe, or for fines for alienations of such landes &c. whereof there shall be any alteration of freehold, or of inheritance made by any such last Will comprised in sundry Articles mencioned in the said former Act, be, and shall be intended and iudged, that all such person or persons to whom the said landes &c. or any of them be, or shall be giuen, disposed, willed, or deuised by any such last Will, shall be exonerated, acquitted, & discharged for euer against the Queene, her heires and successors, for all such fines for alienations, by any such last Will or Testament, without licence, by suing forth of the the Queenes pardon for alienation out of the Chauncerie, paying to the Queene, her heires or successors, for the fine of euery such alienation, the third part of the peerey value of the same manors, lands, tenements, or other hereditaments to him or them willed or deuised. And this Act from time to time shall be a sufficient warrant to the Lord Chaunceloz or Keeper of the great Seale for the time being, for the graunting out of the said pardons vnder the great Seale, as heretofore hath bin vled for pardons for alienations without further suite to the Queene &c. 34. Hen. 8. 5.

Woman covert.
Infants.
Ideots.
Lunatickes.

17 Wills or Testaments made of any manors, lands, tenements, or other hereditamentes, by any woman couert, or person within age of xxi. yeres, Ideot, or by any person de non sana memoria, shall not be taken to be good or effectual in the Law. 34. H. 8. 5.

Contribution for any lands taken away by the Queene or other Lords.

18 All and euery person and persons, from whom the Q. or other Lord or Lords shal take any landes &c. for her or their full third part, or to make vp her or their full third part, shall and may in any of the cases aforesayd, vpon his or their bill exhibited in the Chancery against all and euery such person & persons which shalbe intituled, by or vnder any such wil, gift, disposition or deuise, to the other two parts, haue such contribution, or recompence for the same, as by the Chanceloz of England, or by the keeper of the great Seale for the time being, shalbe thought good. 34. H. 8. 5.

19 But this Act and explanation doth not extend to the will or deuise of Sir Jo. Gaynford, Sir Peter filpot, Richard Crefwel, or of Thomas Anton, or shalbe hurtful to any persons concerning any landes, hereditaments &c. contained and specified in any of the said wils or deuises, but the said Wills & euery of them, shall remaine in the same effect to all intentes as they were before. 34. H. 8. 5.

Widowes may bequeath their crop.

20 All widowes may bequeath the crop of their groundes, as well of their dowers, as of other their landes and tenements : Sauing to the Lords

Lords of the fee, all such seruices as be due for their dowers and other tenements. Merton 20. H. 3. 2.

21 In case any Incumbent happen to die, & before his death hath caused any of his Glebe landes to be manured and sowed at his proper costes with any Cozne: then euery such Incumbent may make his Testament of all profits of the Cozne growing vpon the same glebe lands so manured and sowed. 28. H. 8. 11. S. Ecclesiastical 30.

Incumbent may bequeath the crop of his glebe.

1 For the prouing of Wils, committing of administration, the Ordinarie and his ministers fees, & their dueties therfore. S. Probate of testaments.

2 Fraudulent Wils to defeat the Lord of wardship, or other aduantages. S. Wardes 24.

Wines.

The Lord Chancellor, the Lord Treasurer, Lord President of the Council, Lord Priuie Seale, and the two chiefe Iustices of eyther Bench, or five, sower, or three of them, haue authorizy by their discretions, to set the prices of all kind of Wines, viz. of the prices of the But, Tun, Pipe, Hogshed, Poncheon, Tierce, barrel, or runlet, when it shalbe sold in grosse, so that they or any of them cause the prices by them set to be writen, & open Proclamation thereof to be made in the Chauncery openly in the terme time, or els in the City, borough, or towne where any such wines shalbe sold in grosse. 28. H. 8. 14. And by the statute of 37. H. 8. 23. the said persons shal yerely set the prices of all kind of wine, mentioned in the foresaid act, betweene the xx. day of Nouember, and the last of December, and at no other time. S. 5. Ed. 6. 17. and the said statute of 37. H. 8. and Quare if this last part of the branch remaine in force.

Prices of wines shalbe assessed by the chiefe Magistrates.

2 If any person after such prices be set and put in writing by the said Lords, or by five, iiiij. or three of them, and proclamation thereof had (as aforesaid) do sel any wines in grosse, by any couin, contrary to the said prices so set and proclaimed, then he shal forfeit for every vessel by him sold in grosse, contrary to the said prices xl. s. the one half to the Queene, and the other halfe thereof (if it be in any Citie, Borough, or towne corporat) to be to the Maiors, Sherifes, Bailifes, or other head rulers therof, and if it be without citie &c. then to be to the D. and J. &c. to be recovered by A. J. &c. wherein no W. E. P. &c. 28. H. 8. 14.

The for. of them which sell wines in grosse contrary to the prices assessed.

3 Euery Marchant and other person which shal haue wines to be sold, and refusing to sell or deliuer, or not selling any of the same wines for ready money therfore to be paid according to the price thereof then being set, shal forfeit the value of the wine so required to be bought, to the D. & J. to be recovered by A. J. &c. wherein no W. E. P. &c. 24. H. 8. 6.

Denying to sell wines at the prices assessed.

4 It shalbe lawful to all and singuler Iustices of peace, Maiors, and other head officers, in shires, cities, boroughs, and townes, and in other places of this Realme within the precincts of their offices, at the request of any of the Queenes subiects to whom any denier of sale, or from whom any

either Iustices of peace or other officers may sell other mens wines.

restraint

restraint of sale of any such wines shalbe made, and full payment thereof without delay offered to be made according to the prices then set by the foresaid Lords and Justices &c. to enter into the houses, sellers, and other places where such wines shall lye, and to sell and to deliuer the same desired to be bought, to the person requiring to buy the same, taking of the buyer thereof to the vse of satisfaction of the foresaite aforesaid, after the rate of the prices thereof set, as is aforesaid 24. H. 8. 6. See 37. H. 8. 23. some what the like matter, and Quære if it remaine in force. 5. Ed. 6. 17.

He that keepeth wine to spend in his house, or to retail, shall not be forced to sell it.

5 If at the time of any such sale of wine purposed to be made, the Merchant vintner, or other owner thereof, do truly shew to the said Justice or head officer purposing to make the said sale, what, and how much wine he then shal haue, and depose vpon his bodily othe, to be made and giuen by the discretion of the same Justice, or head officer, that he keepeth the same wines, to the intent onely to drabw and expend the same in his house by retail, or otherwise, & not to sel any of them in grosse: Then the same Merchant or owner, shall keepe the same wines without any sale, and without any forfaiture for refusal or restraint of sale thereof. And in case that after such othe the same owner do sel the same wines, or any of them in grosse, viz. by the Tun, But, Tierce, Pipe, hogshed, barrel, or rundlet, he shal forfe. the double value of all such wines so sold in grosse, to the D. and J. to be recovered by A. J. &c. wherein no T. E. P. &c. 24. H. 8. 6.

The prices of wines by small measure.

6 No person inhabiting within any of the Queens dominions of England or Wales, shall utter by retail by small measure, viz. by gallon, or any other measure of greater or lesse quantitie, any Galcoine, Guyon, or French wines, but after the rate of 8. d. the gallon: nor any Rochel wines at greater prices then after the rate of 4. d. the gallon: nor any other wine at greater price then after the rate of xii. the gallon, at the most, vpon paine that euery person doing the contrary, shal forfeit for euery such offence v. li. to the D. and J. to be recovered by A. J. &c. wherein no T. E. P. &c. 7. Ed. 6. 5. But all and euery person and persons, which be or shall be by the Lawes and statutes of this Realme, or otherwise authorized to sell wines by retail, in the seuerall Counties and places where they be, or shall be so authorized, shall and may sell the said wines by pint, quart, pottel, gallon, or otherwise, at such price or prices, & in such forme as shalbe limitted by the Queenes proclamation in that County or place, made with the assent of such Lords and other persons as by the foresaid Statute of 28. Hen. 8. were authorized to set price vpon wine in grosse, without any paine or forfaiture for the same, any law, &c. notwithstanding. 5. El. 5. 3. 5. El. 7. to continue to the next Parliament now next ensuing.

Prices of wines asselled by the Queens proclamation.

Who may keepe vessels of wine in their houses to spend.

7 It shall not be lawfull to any person, within any of the Queenes dominions aforesaid, except he shall & may dispend in lands or other yeerely profits certaine, the summe of C. markes, or els be worth of his owne proper goods, and cattels D. marks, or shalbe the sonne of a Duke, Marques, Earle,

Earle, Vicont, or Baron of this realme, to haue or keepe in his house or custodie any vessell of any of the said wines of Gascoin, Guyon, French, or Rochel wines, containing about x. gallons, to the intent to spend the same in his house, by any colour or meanes, vpon paine to forfait for euery such offence x. li. to the D. and J. to be recovered by A. J. &c. wherein no W. E. P. &c. 7. Ed. 6. 5.

8 It shal not be lawfull to any person within any of the said dominions to keepe any Tauerne, or to sell or vtter by retaile by the gallon, or lesse or greater measure, in any place, any of the said wines within any of the said Dominions, except it be in Cities, Townes corporate, Boroughs, port townes or market townes, or in the townes of Grauesend, Sittingborne, Turford, & Bagshot, vpon paine that euery person that shal so offend, shall forfeit for euery day so offending x. li. to the D. and J. to be recovered by A. J. &c. wherein no W. E. P. &c. 7. Ed. 6. 5.

None shall re-
taile wines
but in market
townes &c.

9 It shall not be lawfull to any person or persons to keepe any tauerne, or sell or vtter by retaile by the gallon, or lesse or greater measure, in anie citie, borough or towne corporate, any maner of wines, but onely such person and persons as shalbe thereunto nominated & assigned by the head Officers and the most part of the common Councell, Aldermen, Burgessees, Jurates, or Comminaltie of such Citie, Borough &c. where such person or persons shal Tauerne, sel, or vtter wine by retaile, as is aforesaid: the said nomination and assignement to be made by writing vnder the common seale of such Citie, Borough &c. and shall continue in their force, or be changed, at the election and pleasure of the head Officer or Officers, & the most part of the common Counsel, Aldermen, Burgessees, Jurats, or Comminaltie for the time being of such citie, & borough &c. by writing, & vnder such common seale, as is aforesaid. Nor it shalbe lawfull to any person or persons to keepe any Tauerne, or to sell or vtter any wine by retaile, as is aforesaid, in any Citie, Borough, port towne, or Market towne not corporate within England or Wales, or in the said townes of Grauesend, Sittingburne, or Bagshot, but onely such person or persons as thereunto shal be nominated and appointed, by all or the most part of the Iustices of D. of such Countie where such Tauerne or selling of wine by retaile shall be allowed, as shalbe present at the general Sessions for the time being, holden within euery of the said Counties, the said appointment to be had and made in full session, by writing vnder the seuerall seale of euery of the said Iustices, and to be continued, altered, or changed in like forme and by like authoritie, as is last aforesaid, vpon paine that euery person that shall sell or retaile any wine being not thereunto licensed, & authorized as is aforesaid, shal forfeit for euery day that he shall so offend v. li. to the D. and J. to be recovered by A. J. &c. wherein no W. E. P. &c. 7. Ed. 6. 5.

Vintners in
corporat townes
assigned by the
head officers.

Vintners in
Townes not
corporat as-
signed by Ju-
stices of peace.

10 No person or persons hauing authority by this act to nominate or assigne, what persons shall Tauerne, vtter, or sell wine by retaile, as is aforesaid.

Not many
Tavernes may
be appointed
in euery Citie
or Towne.

Wines.

aforesaid, shal appoint by his or their writing any greater number of Tauerne or wine sellers then two, by retaile to sell or vtter wine, or keepe or continue any Tauerne at any time in any one Citie, Borough, towne corporat, port towne, or market towne, or in Grauesend, Sittingborne, or Bagshot (al and euery such citie & towne hereafter expressely named, onely except.) And it shal not be lawfull to appoint by writing in the city of London to sel or vtter wine by retaile, at any time, aboue the number of xl. tauerne or winesellers, & in Dorke 8. in Norwich 4. in Westminster 3. in Bristow 6. in Lincolne 3. in Kingston vpon Hull 4. in Shrewesbury 3. in Excester 4. in Salesbury 4. in Glocester 4. in Westchester 4. in Hereford 3. in Worcester 3. in Southampton 3. in Canterbury 4. in Ipswich 3. in Winchester 3. in Oxford 3. in Cambridge 4. in Colchester 3. in Newcastle vpon Tyne 4. tauerne or winesellers, vpon paine that euery person authorisid by this act to assigne Tauerne or winesellers, to forfait for euery nomination or appointment by him made contrary to the forme of this act, v. li. to the D. and J. to be recouered by A. J. wherein no W. E. P. &c. 7. Ed. 6. 5.

No man shall
retaille wine to
be spent in his
house.

I 1 No person shal sel or vtter by retaile any kind of wine to be drunke or spent in his mansion house, or other place in his tenure or occupation by any colour, craft, or meane, vpon paine to forfait, for euery such offence x. li. to the D. and J. &c. to be rec. by A. J. &c. wherein no W. E. P. &c. 7. Ed. 6. 5.

These may
keepe & spend
wine in their
houses.

I 2 But it shalbe lawfull to euery Marchant aduenturing for the same at his owne costs, to keepe to spend in his owne house such wine or wines, as he shal transport or cause to be transported into this realme, or any part thereof, not taking any money or other recompence for the same, that shall be so spent in his house: And it shalbe lawfull to euery high Sherife of euery County, Maior, Bailife, and Sherife of euery city, and towne corporat during his or their office of charge, and to euery other person dwelling in any of the Queens Forts or Townes fortified, and kept for the wars during his dwelling in any such fort or towne of warre, to haue wine in his house by the vessel, to spend the same in his house, without taking any money or other recompence for the same so spent in his house or other place in his occupation. 7. E. 6. 5.

Within what
time the forfeit.
shall be taken.

I 3 This act shal not extend to charge any person with any penalty or forfeiture concerning any offence to be done contrary to the tenor thereof, vntill the offender be sued, indicted, or presented for the same, within one yere next after the same offence committed. 7. Ed. 6. 5.

The liberties
of Cambridge
and Oxford
referred.

I 4 This Act shall not be prejudicial to any of the Uniuersities of Oxford and Cambridge, or to the Chancelloz or schollers of the same, or their successors or any of them, to impaire or take away any of the priuiledges, franchises, or authorities to them, or any of them belonging, but they and euery of them, and their successors, may haue, vse, and enioy all their priuiledges, franchises, &c. so that there be not any greater number of tauerne kept

kept within any of the said Townes of Oxford or Cambridge, then may be lawfully kept by the p^{ro}uision of this statute. 7. Ed. 6. 5.

15 Assay shall be made of Wines twice euery yeere, once at Easter, & an other time at Michaelmas, & moze often if need be, by the Lords of the townes, & their Bailifes, and also by the Maiors and Bailifes of the same townes, and all wines that shal be found corrupt, shal be powzed out, & the vessels broken. And the Chaunceloz and Treasozer, Iustices of the one Bench and the other, and Iustices of assise, haue power to inquire of the Maiors, & ministers of townes, if they doe not according to this statute, and besides that to punish them, as reason shall require. 4. Ed. 3. 12.

16 No Marchant, nor other person, shall bring, or cause to be brought into this Realme, any But of Palmesey to be sold, vnlesse it doe containe in measure at the least 126. gallons. Nor no maner of vessels, with any maner of Wines whole soeuer they be, or of what Countrey soeuer they be, nor no maner of vessels of Dyle, vnlesse the same vessels of wines or oyle doe containe the measure and assise following, viz. Euery Tunne to containe 252. gallons, euery Pipe 126. gallons, euery Tercian, or Punchion 84. gallons, and euery Hoggeshed 63. gallons, and euery Tierce 41. gallons, and euery Barrell 31. gallons and demy, and euery Rundlet to containe 16. gallons & demy. And the vessels of Wine & Dyle brought into this Realme to be sold, shall not be put to sale, vntill they be well and truely gauged by the Queenes gaugeour, or his sufficient deputie, vpon paine to forfait to the Queene all the said Wines and Dyle sold contrarie to this ordinance, or the value of the same. 18. H. 6. 17. 1. R. 3. 13. 28. H. 8. 14. Euery Tunne, Pipe, Tercian, & other vessel aforesaid, of Hony, shall containe the quantitie aforesaid, and be gauged, in maner and forme aboue exp^{re}ssed, vpon the paine aboue limited. And euery Gaugeour shall haue for his labour for the gauging of euery Tunne and Pyype of Dyle and Hony, as he taketh for euery Tunne & Pipe of Wine, and for euery Tercian and Hoggeshed after the rate. 18. H. 6. 17. See Waxe and Honie 6. This assise somewhat altered, for honie.

The contents of each vessell of wine.

All vessels of wine and oyle shal be gauged.

The contents of a vessell of hony.

17 Euery Gaugeour within this Realme, shall truely and effectually within the limits of his office, gauge all the said Tunnes, Buts, Pipes, Tierces, Punchions, Tercians, Barrells, Hogsheds, and Rundlets, and shall plainly and truely marke vpon the head of euery such vessell the content of the same, vpon paine to forfait to the partie, to whose vse the wine, oyle, or other thing therein being shall be solde, fower times the value of that which the vessell so marked shall lack of his lawfull content abouesaid: The same forf. to be recovered ouer & aboue the costs of the sute, by the Queenes originall writ, or by bill, in any of Queenes courts of her Common lawes, or in any competent court, hauing iurisdiction in the place where that offence shall be committed, by A. or B. of debt, wherein no W. C. P. &c. And euery person selling the said Wine, Dyle, or other thing

The Gaugeours forf. if the vessell lacketh his content.

How he shal be recompenced, which lacked his measure of wines or oyle.

contained in the said vessell marked, shall allow the price thereof to the buyer of the same for every quantitie of wine, oyle, or other thing contained in the said marked vessell, the full value of the lacke thereof being by reason of default of full gauge of the vessell marked, or of default of filling of the same vessel after the rate of the whole price of the wine, oyle, or other thing so being sold by the vessell marked, upon paine of forf. to the same buyer, the double value of the same vessell & wine, oyle, or other thing therein being so sold, the same forf. to be recovered together with the costes of the sute in forme aforesaid. 28. H. 8. 14. 1. R. 3. 13. 18. H. 6. 17.

1 That Marchants Aliens shall carrie no Wines out of the Realme, but shall sell them here in grosse, and in none other maner. S. Marchants 1.

2 In what vessels any French wine may be brought into this Realme. S. Shippes 4. 5.

3 What custome or subsidie shal be payed for sweete Wines brought in. S. Custome 3.

Witnesse.

A witnesse
vpon proces
serued vpon
him, and his
charges ten-
dered, shall
appeare.

If any person vpon whom any proces out of any of the Courts of Record, within this Realme or Wales, shall be serued to testifie or depose, concerning any matter depending in any of the same Courts, and hauing tendred to him according to his countenance or calling, such reasonable summes of money, for his costes & charges, as (hauing regard to the distance of the places) is necessarie to be allowed in that behalfe, doe not appeare according to the tenor of the said proces, hauing not a lawful & reasonable let to the contrarie: Then the partie making default, shal forf. for euery such offence x. li. & shal yeeld such further recompence to the partie griued, as by the discretion of the Iudge of the Court, out of the which the said proces shal be awarded, according to the losse & hinderance that the party which procured the said proces shal sustaine, by reason of the non apparance of the said witnesse: the said senerall summes to be recovered by the partie so griued, against the offender by A. J. B. W. &c. in any of the Queenes courts of Record, wherein no W. E. W. &c. 5. Cl. 9. 29. Cl. 5.

Proces against
the witnesses of
a deede denied.

2 When a deed, release, acquittance, or other wryting is denied in the Queenes Court, wherein witnesses be named, proces shall be awarded to cause such witnesses to appeare, so that if none of them come in at the great distresse returned, or if it be returned, that they haue nothing, or that they cannot be found, yet the taking of the enquest shall not be deferred by the absence of such witnesses. And if the witnesses doe come in at the great distress, & the enquest for some cause remaine untaken, the witnesses that come in, shall haue like day giuen them, as is assigned for the taking of the enquest, at which day, if the witnesses doe not appeare, the issues that were first returned vpon them shall be forf. & the taking of the enquest shall not be deferred because of their absence. And for absence of witnesses dwelling within franchises where the Queenes writt originall doth

doth not lie, the taking of an enquest shall not be deferred. 12. Ed. 2. 2.

1 For the triall of a deede where the witnesses be of a Countie where the Queenes writ runneth not. S. Triall 9.

2 In what sort he shall be punished, which procureth any witnesse to commit wilfull periurie, or being a witnesse doth commit wilfull periurie. S. Periurie 1. 2.

Woods.

In and vpon all and singuler seuerall wood, commonly called Coppies Woods, or vnderwoods, which shall be felled at xiiii. yeeres growing, or vnder, there shall be left standing & vnfelled for euery acre of wood, that shall be felled within the said copies xii. standils, or stozers, of Dke, & if there be not so many standils of Dke, then there shall be left so many of other kind, viz, of Elme, Ash, Aspe, or Beech, as shall make the said number of xii. likely to be timber trees, the same to be of such standils as haue bin left there standing at any felling of the same wood &c. in time past. And in case there be no such stozers there standing which were there left at the last felling of the same woods: then the same standils shall be left at the next felling of the said woods &c. of such most likeliest Dkes, and if there be not sufficient of Dkes, then of the most likeliest Elmes, Ash, Aspe, or Beech, to prooue timber trees, as shall grow within any such seuerall woods, coppies, or vnderwoods. And the same standils so left, shall be preserved & not felled till euery of them shall be of tenne inches square, within iii. foote of the ground, vpon paine that euery owner of euery such standils, hauing an estate of inheritance, or for terme of life, of freehold, or by Copie of Court roll, or for yeeres, in that ground where the same standils shall grow, causing any such woods to be felled, and not leauing the said stozers there standing in forme aforesaid, to forfeit for euery standil so not left standing in the said woods, &c. iii. s. iiii. d. and vpon paine that euery owner, as is aforesaid of any such woods, &c. causing any of the said standils so left, to be cut downe contrarie to the forme of this Act, to forfeit for euery of the said standils which shall be cut downe, iii. s. iiii. d. to the D. and J. to be recovered by A. J. B. P. &c. wherein no T. A. E. P. &c. 35. H. 8. 17. 13. El. 25.

There shall be xii. standils left in an acre of wood at the felling thereof.

How long the standils left, shall remaine vnfelled.

2 All and singuler copies & vnderwoods, which shall be felled at xiiii. yeeres growth, or vnder, and not being aboue the said age, from and after the xx. day of Aprill, next after the felling thereof, during the terme of vi. yeeres then next ensuing, shall be sufficiently inclosed, or the springs thereof otherwise saued from destruction by any maner of cattell, by him which then shall haue lawful interest & possession in the said woods &c. vpon paine of euery person so bounden to inclose or preserve the said woods, to forfeit for euery Rod thereof so not inclosed or preserved during the said vi. yeeres iii. s. iiii. d. for euery Deneth that the same woods shall be vnclosed, or not so preserved &c. 35. H. 8. 17. 13. El. 25.

Woods felled at, or vnder xiiii. yeeres growth, shall be preserved vi. yeeres.

Woods felled
about xiiij.
yeeres growth,
and under
xxiiij. shall be
preserved vij.
yeeres.

No woods shal
be converted
into tillage or
pasture.

At the felling
of wood about
xiiij. yeeres
growth, there
shal be xij. trees
left in an acre.

Wood felled at
xxiiij yeeres
growth, shall
be preserved
ix yeeres.

In what cases
one may fell
Standils.

3 All and singular copies or underwoods, which shall be felled, being about the age of xiiii. yeeres growth, & not about the age of xxiiii. yeeres growth, from the xx. day of Aprill, next after the felling thereof, during the terme of viii. yeeres next insuing the same xx. day of Aprill, shall be sufficiently inclosed, or the springs thereof otherwise preserved from destruction by any maner of cattell, by such which then shal haue lawful interest & possession in the said woods &c. vpon paine of euery person so bound to inclose or preserve the said woods, to forf. for euery Rod not so inclosed or preserved during the said viii. yeeres iii. s. iiii. d. for euery Moneth that y^e same woods shal be vnclosed & not preserved, as is aforesaid. 35. H. 8. 17. 13. El. 25.

4 No person shall conuert into pasture or tillage, any such copies or underwoods, containing in quantitie two acres or about, which now, viz. (14. die Ja. An. Do. 1543. & 35. H. 8.) be woods or underwoods, & put or reserued to the vse or increas of wood, or underwood, & being two furlonges distant from the house of the owner thereof, or from the house wherunto the said wood doth lie or belong, vpon paine to forf. for euery acre of wood so to be conuerted from wood into pasture or tillage xl. s. But this Act shall not extend to any copies, woods, or underwoods destroyed or turned into tillage or pasture within xx. yeeres last past, (viz. before 14. die Januarii, An. Do. 1543.) although the moze part, or any part thereof be ouergrown with bushes, or underwoods. 25. H. 8. 17. 13. El. 25.

5 Euery person, bodie politique and corporate, hauing any seuerall woods or copies growing & set with great trees, being about the age of xxiiii. yeeres growth, shal at the felling or weeding thereof, leaue standing within the precinct of the said wood and copies for euery acre so felled xii. trees of oke of the same great trees, if there be so many trees of oke there to be left, and for lacke of Okes, then to leaue for euery acre so felled, as many other trees of Elme, Ash, Beech, or Aspe, as shal make the full number of xii. of such as shall be there then growing, the same trees there so left to stand, & to be preserved by such owner during xx. yeeres, next after such felling of the same woods. And also shal from the xx. day of Aprill next after the felling thereof, during the terme of ix. yeeres then next following; sufficiently inclose them, or the springs thereof otherwise saue from destruction by any maner of cattell, vpon paine that euery such person being owner of the said great woods, to forf. for euery such great trees of the said number lacking, & not left standing vi. s. viii. d. And vpon paine that euery owner of the ground whereupon such great trees shall be left standing, causing, or commanding any of them to be cut downe contrarie to the forme of this Act, to forf. for euery of them so left, which shall be so cut downe, vi. s. viii. d. And vpon paine also to forf. for euery rodde of such great wood so not inclosed or preserved during the said space of ix. yeeres, for euery moneth, iii. s. iiii. d. 35. H. 8. 17. 13. El. 25.

6 But it shall be lawfull to euery owner of any of the said coppies, woods,

woods, underwoods, standills, great woods, & trees afore rehearsed, to fell and take any of the same for buylding, repairing, inclosing, & maintaining of houses, orchards, & gardens, and euery of them, and for paling, raling, or inclosing of Parkes, Forrests, Chases, or other grounds, & for making or repairing of water wykes, dammes, byldges, fludgates, making or repairing, or amending of ships, and all other vessels, and for all other things concerning his owne vles or affaires, in such like maner, as he might lawfully haue done before the making of this act. 35. H. 8. 17.

7 It shall not be lawfull to any person which shall haue any woods, or underwoods, wherein any other person or persons iustly hath, or haue vled time out of mans remembzaunce, to haue common of pasture, to fell or cut downe the said woods, or underwoods, there growing or being, (except it be to his owne vse and occupatton) vntill the fourth part of such woods, underwoods, or grounds where the same woods grow, or as much as the fourth part of the said ground shall amount vnto, shall be by the Lord & owner of the said ground deuided, set out, bounden, & inclosed in maner & forme hereafter declared, viz. The said Lord that then shall be owner of the said ground shall call together the tenants & inhabitants being commoners in the said ground, or the moze part of them, & vpon the assemblie and meeting of the said Lords, tenants, & inhabitants, or the moze part of them, the said Lord or owner, by the consent & agreement of the said tenants, & inhabitants, or the moze part of them, shall deuide, set out, mete, & bound the fourth part of the said woods & underwoods, or so much therof as shall amount to the full fourth part thereof. 35. H. 8. 17.

The selling of woods, where in others haue common.

Deuiding the fourth part of the wood.

8 And if the said Lord, and the said tenants & inhabitants, or the moze part of them, cannot, will not, or doe not agree, for, or vpon the seuering, setting out, and bounding of the said iiii. part of the said woods and underwoods, or of as much therof, as shal amount to the full fourth part therof, then two Iustices of the peace, not being of the kin, aliance, counsell, or fee, of, or to the said Lord or owner (being thereunto appointed by the moze number of the Iustices of peace of the Shire, where the said ground lieth, in their open quarter Sessions) vpon request & sute made vnto them by the Lord or owner, or by his lawfull deputie, of the said woods, ground &c. shall haue full power to call before them vpon such paines and penalties, as the said Iustices shall appoint, such xii. of the said commoners and inhabitants nigh vnto the same woods, &c. as by the said two Iustices shal be thought conuenient. And vpon or after the appearance of the same Lords, owners, commoners, and inhabitants, or the moze part of them, the same Iustices shall declare vnto them, the cause of their assemblie, and that done, shal by the aduise & assent of the said Lord, owners, commoners, & inhabitants, or their lawfull deputie or deputies, or of the moze part of them, effectually proceed to the seuering, deuiding, meting, and bounding of the said fourth part of the said woods and underwoods, or of so much

Where two Iustices with the Lord and tenants shall deuide the wood.

whereof as shall amount to the fourth part thereof. 35. H. 8. 17.

Where the Justices only shall make the division.

9 And if the same Justices, owners, commoners, & inhabitants, or the more part of them, cannot, or will not agree upon the division, bounding, or setting out the said fourth part thereof, as is aforesaid: Then the said Justices shall have full power to sever, devide, and set out, by mete and bound, the fourth part of the said woods & underwoods, or so much thereof under the same fourth part, as shall by the said Justices be thought necessarie and requisite to be set out. And within the moneth next after such severance & setting forth thereof, the owner or owners of the same woods or underwoods in forme afoze declared, shall sufficiently inclose the same part of the said ground so set forth, as is aforesaid. And after such inclosure made, he may at his libertie fell and take the said woods and underwoods, being in or upon the said copies, woods, underwoods, or ground so set forth, or any part thereof. 35. H. 8. 17.

How many standils shall be left standing in common woods inclosed and felled.

10 There shall be left standing and unfelled, in, & upon the said part of every the same woods, or underwoods, or ground so severed, bounded & set out distinctly, in forme aforesaid, at every felling thereof such & like number of standils or stozers of yong oaks, & other yong trees of Elm, ash, aspe, or beech, if it be copies, or underwoods, which shall be so felled, & if the woods that shall be felled shall be great trees, or great woods, the such number shall be left standing of great trees, in or upon y^e said part to all intents, & upon like, & the same penalties, as befoze is limited, for not leaving, & preserving of standils in severall woods & grounds. And the said part so fenced, bounden, & set out in maner & forme aforesaid, after every felling of the copies, woods, or underwoods for the time being, in, or upon the same, shall be sufficiently inclosed & fenced, & the inclosure thereof sufficiently & continually made or repaired, & maintained, by the space of ix. yeeres next after every felling thereof, in like maner & forme to all intents, & upon the same & like penalties, as is befoze appointed for the not closing or fencing, or for the not repairing & preserving of the said severall copies &c. And also the standils, stozers, & great trees appointed to be left standing, in, or upon the said part, shall be there left standing, preserved, & not cut downe, in such like maner, and by all such time, & upon such like penalties, to all intents, as is afoze limited for the preservation of y^e said stozers & great trees, appointed to be left, in, & upon the said severall copies &c. 37. H. 8. 17. 13. El. 25.

Preserving of standils not cut downe.

How long woods inclosed from the comon shall be defended from cattell.

11 After the said felling of the said coppies, underwoods, and woods growing in any such part of the said woods, grounds, or places befoze declared, no beasts or cattell during the space of ix. yeeres next after the felling of the same woods, shall willingly by any person be put in, or shall be suffered to feed or continue in any parcel of any such part so set forth, as is aforesaid, during the said terme of ix. yeeres, next after the felling thereof, upon paine of forfeiture of iiii. s. for the putting in of any beast, or wilfull suffering of any beast or cattell to be put into any of the said severall coppies,

pies, vnderwoods, or woods &c. 37. H. 8. 17. 13. Cl. 25.

12 If it shall happen any person being owner of any such woods, vnderwoods, or coppies, lying & being in any wast ground, to cut downe any trees, or vnderwoods, contrarie to the forme aforesaid, then enery person so offending, shall forfait for euery tree so cut downe vi. s. viii. d. all which foresaid forfeitures shall be to the Q. and J. to be recd. by A. J. &c. wherein no W. C. H. &c. 35. H. 8. 17.

Cutting of wood in wast ground.

The forfeitures.

13 For asmuch as the said tenants, commoners, & inhabitants shall be excluded of their common in the said part so to be seuered, as is aforesaid, by all the said terme of ix. yerres next after the felling of the said coppies, woods, & vnderwoods that shall grow vpon the same, in recompence thereof, they shal & may vse & haue their common for their cattel within the residue of the said woods, vnderwoods, ground, and soile not being inclosed in maner and forme, as if this act had neuer bin made. And the Lord being owner of the said ground shalbe excluded to put, or haue any cattel or beasts in or vpon the same residue, or to take any profite of the pasture in the said residue, during and by the terme of vii. yerres next after the felling of the said coppies, woods, or vnderwoods, growing vpon the said part which shall be so seuered and inclosed as is aforesaid. And after the said ix. yeeres expired, vntill the next felling of the said coppies, woods, or vnderwoods, being vpon the said part, being deuided as is aforesaid, aswel the same part, as the said residue of the said ground shall lie & be vled in common, & the pasture & oth. c profits thereof shal and may be vled and taken aswell by the Lord, being owner of the said ground, as by the said tenants commoners, & inhabitants, in like maner as it should or ought to haue bin before the making of this act. 35. H. 8. 17. Quere whether the Lord shalbe excluded of his common for 7. yerres or 9. yerres: for the statut of 13. Cl. 25. giueth the Lord 2. yerres more then that statute of 35. H. 8. to inclose or keepe in seuerall, his woods, but it doth not exclude the Lord of his comon for any further time, then in the said statute of 35. H. 8. limited which is but vii. yeeres.

The Lord of a wood excluded of his common.

14 It shall be lawfull to any person to fell and to inclose all their coppies, woods, and vnderwoods in any wast grounds, which before the making of this Act haue bin vled to be inclosed and kept for the maintenance of wood and vnderwood. 35. H. 8. 17.

Woods vled to be inclosed.

15 If the same part of wood and vnderwood so inclosed by the Lord or owner of the same, as shall be to him limited by the said Iustices of W. or commoners, be not felled within foure monethes next after the inclosing thereof, then and so long as the same woods shall not be felled, it shall be lawful to the said comoners to put their cattel into y^e same wood & ground so inclosed, & the owner thereof shall leaue open conuenient places within the same inclosure, whereby the comoners beasts may come into the same wood, & there to feed so long as y^e same wood shalbe unfelled, 35. H. 8. 17.

The comoners shall enjoy their common so long as the wood is unfelled.

16 This act shal not extend to any of the lords or owners of the woods, &c.

Woods in the fields of Kent, Surrey, Sussex.

underwoods, or woodlands, growing or being within any of the towne, parishes, or places, commonly called or known to be within any of the wields of Kent, Surrey, and Suffex, other then onely to the common woods growing and being within any of the said wields of the said counties. 35. H. 8. 17.

To what wood
this statut ex-
tendeth not.

Within what
time the offender
must be sued.

Breaking of
wood hedges.

Swine shal not
go in the wood
vnringed.

The fensling of
wood in a park
wherein Deere
is kept.

Where a stran-
ger is cause of
the offence, he
only shal be
punished.

Within what
time cattel may
be put into cop-
ples woods.

17 This act shal not extend to charge any person with any penalty con-
tained therein, concerning any timber trees growing within ii. miles of
the sea in the County of Cornewall, or any other timber trees within the
Realme, being sere & dead in the tops, or any timber trees to be taken by
vertue of the D. comission within the realm: Or of any offence done con-
trarie to the tenor of this act, vnles the person offending this act be sued for
the same wthin one yere next after the same offence comitted. 35. H. 8. 17.

18 If any person do breake or destroy any seuerall fences, or hedges,
made for the sauing of the same woods, underwoods, grounds, or soyles,
he shal forf. for euery such offence x. s. 35. H. 8. 17.

19 If any person suffer his Swine being of the age of x. weekes or a-
boue, (during such yeeres as the said woods be appointed by this Act to be
inclosed) to go or run in any common, or seuerall ground, or woods, vnlesse
the same be sufficiently ringed, or pegged, then the owner of euery such
swine, shal forf. for euery such his swine that shal go vnringed &c. iiii. s.
the one halfe of the said forfaytures, if it be in any of the Queenes woods
or grounds, to be to her Highnesse, and the other to the finder thereof, and
if it be within any other persons grounds, or woods, the one halfe of the
same forfaytures to be to the owners of the soile, & the other to him that wil
sue for the same by A. T. &c. wherein no M. C. D. &c. 35. H. 8. 17.

20 Where any woods or underwoods shal be felled in any parke, or
ground inclosed wherin any Deere shal be then kept, the owner or posses-
sioner of such parke or grounds shal be chargeable for the inclosure & pre-
seruation of y same, as is aforesaid, but only for the space of vi. yeres after
any such time of felling of the same woods &c. & not aboue. 35. H. 8. 17.

21 If the inclosure of any of the said coppies, woods, underwoods, or
grounds happen to be broken, or pulled downe, by any person against the
will of the owner or possessor of the same woods &c. whereby cattell
escape into the same woods &c. and destroy or hurt the spring thereof, or if
the same woods, ground, or underwoods, be by any means destroyed, hur-
ted, or hindered by any person, or by the cattell of any person, without the
assent & will of such owner or possessor: in euery such case the said pe-
nalties contained in this Act, shal be extended vpon the same person, by
whose default the same spring, wood, or underwood shal be so destroyed or
hurt, and not vpon the owner or possessor of the said woods, grounds, or

underwoods. 35. H. 8. 17. 13. El. 25.

22 It shal not be lawfull for any person to put any maner of cattell
into any coppies woods inclosed to be preserved, from the time of the sale
thercof,

therof, vntil the end of v. yerres, nor from the end of v. yerres, any other cattel but calves, & yereling colts only, vntil the end of vi. yerres, if the wood was vnder the age of xiiii. yerres at y^e last fall, or vntil the age of viii. yerres, if the wood was aboue the age of xiiii. at y^e time of the last fall. 13. El. 25.

23 Every man that hath wood within y^e forrest, may take the said wood without being attached by any officer of the forrest, so that he do it by the view of y^e forresters. 1. Ed. 3. 2. And every free man may take agestment in his owne wood within the Q. forrest at his pleasure, & shall haue his pannage, & may driue his swine through the Queenes demene woods, for to agest thē in his own woods or elsewhere, & if the swine tarrie one night in the forrest, he shal not lose one of thē thereby. Charta de Foresta. 9. H. 3. 9.

How a man may use his wood which is w^{ith} in the forrest. Agestment.

24 Those that doe make purprestures in their woods which they haue in forrests without the Queenes speciall licence, or wast, or assert in the same, shall answer to the Queene for the same wasts, purprestures & asserts. But every free man shall without danger make in his owne wood in his owne ground, or in his water, which he hath within the Q. forrest a mill, a poole, a pond, a marlepit, a ditch, or arable land, out of the couert of the forrest of ground which hath been arable, so that it be not to the hurt of anie of his neighbours, and also he may haue within his woods Appies of Hawks, Sparhauks, Falcons, Eagles and Herons, and the honie that is found within his woods. Charta de Foresta. An. 9. 3. 4. 12. 13.

Purprestures, wasts, asserts made in the forrest.

How ech man may use his wood within a forrest.

25 If any of the Queens subiects hauing woods of his own, growing in his own ground within any forrest, chase, or purliew of the same within this realme of England, shall cut or cause to be cut the same wood, or part thereof, by licence of the Queene, or of her heirs, in her forrests, chases, or purliewes, or without licence in the forrest, chase, or purliewes of any other person, or make any sale of the same wood, it shalbe lawful to the same subiect, owner of the same ground wherupon the wood so cut did grow, & to other such persons to whom such wood shalbe sold, immediatly after the wood so cut, to copie, and inclose the same ground with sufficient hedges, able to keepe out all maner beasts and cattell out of the same ground, for the p^{re}serving of their yong spring, and the said hedges being so made, the said subiects may keepe them continually by the space of seven yerres next after the same inclosing, and repaire and sustaine the same as often as shal neede within the same seven yerres, without suing any other licence of the Queene, or of her heirs, or other persons, or any of their officers, of the same forrests, chases, and purliewes. 22. Ed. 4. 7.

How long woods felled in the forrests may be inclosed.

- 1 The forf. for burning of any heape of wood felled. S. Burning 1.
- 2 At what time Oke trees meet to be barked, shalbe felled. S. Berke 1.
- 3 That no purueiors of timber shall fell any trees growing in or about any mans house. S. Purueiors 8.
- 4 That no purueior of timber shall fell any timber to the Queens vse, but only in barking time, or shal take away any more then only the timber tree. S. Barke 2.
- 5 That

5 That none shall buy wood but they which will burne or retaile the same. S. Fuel 1.

6 Where woods shalbe felled in or neere hie waies. S. Hie waies. 8.

7 What woods may be felled, and in what places for the making of Iron, and what not. S. Iron.

8 How euery licēce for trāsporting of wood shalbe vsed. S. Corne 3. 4.

Woolles.

Who only may buy woolls.

The words of the statute be to be shipped only to the staple of Calice. Ideo quare.

Woolls growing in Northumberland.

Staplers may sell their refuse woolls & locks.

How Northfolke wooll may be bought & sold againe.

NO person being bozne within the D. obeisance, shall buy, bargaine, take, or make any promise or bargain of woolls, but only such person, his wife, or his apprentice, inhabiting in his mansion house, as shall of the said woolls make yarne, any kind of clothes, Chamlets, Wolsted, Saies, Stamine, knit hose, knit peticoats, knit gloues, knit sleeues, hats, coifs, cappes, Arras, Tapestry, couerlets, girdles, or any other thing vsed to be made of wooll, or mixed with wooll within the realme, or els a merchant of the staple, or his apprentice dwelling in his mansion house, to be shipped only to the staple, vpon paine of forf. of the double value of the said woolls so to be bought or bargained, or taken by promise of bargaine contrarie to this act, to the D. and N. to be recovered by A. N. &c. wherein no W. C. P. &c. 5. Ed. 6. 7. Neither shal any denizen buy any woolls, but of y owner of the sheepe and tithe wooll, but in the staple. 14. R. 2. 4.

2 But the merchants of Newcastle, and other persons may buy woolls of the growth of the countie of Northumberland, Cumberland, Westmerland, Richmond, and Alverton shire, or the bishopricke of Duresme, to the intent to ship or transport the same into the parties beyond the sea, as they haue bin accustomed, any thing in this act &c. notwithstanding. 5. Ed. 6. 7.

3 And also the merchants of the staple frō time to time may bargain or sell their refuse course woolls, & locks, such as is not meet for y said staple, to any person y will buy the same to make yarne or cloth, or other things as is aforesaid, within this realme, so as the same be shot & packed by the wooll packer, declaring of what packing or countrey the refuse or lockes be, & writing vpo y clothes wherin the said refuse wooll is packed, in great letters, as they do vpon the woolls that are shipped to the staple. 5. Ed. 6. 7.

4 Euery person dwelling within the countie of Northfolke, or citie of Norwich, by himselfe, or by his factor or seruant, may lawfully buy and bargain woolls, and take & make prouision to buy or bargain woolls growing onely within the said countie of Northfolke, so that the same person so buying or bargaining or making promise to buy or bargain the said woolls do sell or retaile the same again in the cōmon market, or other open place within the said countie of Northfolke or citie of Norwich, to any person or persons that will buy the same or any parcell thereof dwelling within the said countie of Northfolke & citie of Norwich, or anie of them, that wil spin the same within the same countie or citie. 1. Ed. 6. 6. 5. Ed. 6. 7.

5 It shall be lawfull to anie person inhabiting within the parish of Halifar, to buy any wooll, at such times as the Clothiers may buy y^e same (otherwise then by ingrossing and forestalling) so that the persons so buying the same, doe carrie or cause to be carried the said woolles so bought by them to the towne of Halifar, and there to sell the same to such poore folke of that and other parishes adioining, as shall worke the same in cloth of yarne (to their knowledge) and not to the rich Clothier, nor to any other to sell againe. And if either the wooll driuer shall sell his said woolles at any other place foorth of y^e said towne of Halifar, or if any such that shall buy their woolles at Halifar, shall sell their woolles that they bought againe unwrought in yarne or cloth, then euery such offender shall forfeit y^e double value of the wool so sold or vttered, to the Q. & J. y^e wil sue for the same in anie of the Q. courts of record, or before the Iustices of the peace in their sessions. 2. and 3. P. and M. 13. S. Iustices of peace. 98.

The inhabit-
tants of Hal-
far may buy
wooll and sell
the same there
again.

6 No merchant stranger, by himselfe, or by anie other person for him, in his name, or to his vse, shal bargaine, or buy any wools before y^e feast of the purification of our Ladie next after the clipping or shearing of y^e same wools, vpon pain of forfeiture of y^e double value of y^e same wools, to the Q. & J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 7.

At what time a
marchant alien
may buy wooll.

7 No person hauing any wooll of his own growth, shal keepe the same wools, to the intent to sell the same in wools unwrought, aboue one whole peere next and immediatly after y^e shearing of the same wools, so as there be offered without fraud or couin to the owner or owners thereof within the same time, such price as then shalbe most commonly giuen in the same shire for wooll of like goodnes & packing, vpon pain of forfeit. for euery tod or tod waight thereof so kept aboue one peere unsold, as is aforesaid, x. s. to the Queene and J. to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 5. Ed. 6. 7.

No man shall
keep his wooll
aboue a peere, if
he haue the or-
dinarie price
offered for it.

8 No person shall winde or cause to be wound any fleece of wooll being not sufficiently riuered or washed, ne wind or cause to be wound within anie fleece, clay, lead, stones, sand, tailes, deceitfull locks, cot, calles, comber, lambs wool, or any other thing, wherby the fleece may be the moze waightie, to the deceit & losse of the buyer, vpon pain the seller of any such deceitfull wools to forfeit for euery such fleece vi. d. to the Q. and the finder, and prouer of the same deceit, to be recovered by A. J. &c. wherein no W. &c. E. P. &c. 8. H. 6. 22. 23. H. 8. 17. 13. Eliz. 25. And if anie woolpacker do make anie other but good and due packing, he that feeleth himselfe griued thereby, shal haue his action of trespassse & deceit, at the Common law, against him, and if anie stranger do force, clacke, or beard anie wooll, he shall forfeit the same or the value thereof, & be imprisoned. 8. H. 6. 22.

Winning of
wools.

Woolpacker.

Force, clack, or
beard wooll.

9 But this act concerning riuering and washing of anie wooll, shall not extend to any shire or shires, the inhabitants whereof haue not custodie bled before this time, to riuer or wash their sheepe before they be

Cottles where
wooll is not
washed, or
fleeces, sold by
taile.

shorne,

shorne, nor shall be hurtfull to any persons that haue bled customablie to sell their wools by sale, or number of the fleeces, and not by weight. 23. H. 8. 17. 13. El. 25.

What wooll may be refused.

10 No Denizen nor Forrein shall make any refuse of wools, but of cot, gare, and villain. Neither shall any buy wools, by these words (good packing) nor other like words, vpon paine to forfait to the partie grieved double damages, and the Broker shall be halfe a yeere imprisoned. And whosoever doth cocket wooll but in the name of him whose the wools be, shall forfait them. 13. R. 2. 9.

Cocketing of wools.

The staple.

In the time of Edward the third, and sithence, diuers Statutes were made for the placing, maintenance, and remouing of the Staple, and for lawes & ordinances to be obserued therein, & certaine Magistrates and officers were ordeined for the execution therof, & seuerall statutes were made, prohibiting woolles to be caried to any other place, sauing to Callice, or the places where the said staple was established, but some of those statutes be repealed, many expired, and the vse of the residue in effect taken away by the want of Callice, except those which be expressed in this and other titles of this treatise. But whether the staple is remoued, by what warrant & authoritie, and in what sort, & how far the statutes provided for the maintenance of the staple of Calice do extend, or may be executed for the maintenance of the same in any other place, Quære.

Quære.

- 1 For the contents of a stone, and sacke of wooll. S. Waights 3.
- 2 For the custome of wools. S. Custome 8. 16.
- 3 For the boyling of wooll, and with what stuffe it shall be boyled. S. Draperie. 66.

Women.

Alienations, recoveries, or warranties made by the wife of the inheritance of her late husband.

If any woman hauing estate in dower, or for terme of life, or in taile, iointly with her husband, or only to her selfe, or to her vse, in anie manors, lands, tenements, or other hereditaments of the inheritance or purchase of her husband, or giuen to the said husband and wife in taile, or for terme of life, by any of the ancestors of the said husband, or by any other person seised to the vse of the said husband, or of his ancestors, & shal, being sole, or with any other after taken husband, discontinue, alien, release, or confirme with warrantie, or by couin-suffer any recoverie of the same against them, or any of them, or any other seised to their vse, or to the vse of either of them, after the forme aforesaid, all such recoveries, discontinuances, alienations, releases, confirmations, and warranties so had & made, shalbe utterly void. And it shalbe lawfull to euery person and persons to whom the interest, title, or inheritance after the decease of the said woman of the said lands, &c. being discontinued, aliened, or suffered, to be recovered in forme aforesaid should appertaine, to enter into all and euery of the premisses, and peaceably to possesse and inioy the same, in such maner and forme, as he or they should haue done if no such discontinuance, warrantie, nor

noꝛ recouerie had bin had oꝛ made. 11. H. 7. 20. S. Statute Gloucester. 6. **A wist of En-**
 E. 1. If a woman do sell oꝛ giue in fee, oꝛ foꝛ terme of life, a tenement **trie in casu pro-**
 which she holdeth in dower, the heire oꝛ other to whom the land ought to **uiso.**
 reuert after the decease of the wife, shall immediatly haue his recouerie
 by writ of Entrie out of the Chancerie.

2 If any of the said husbands and women, oꝛ any other seised to the vse **Upon the re-**
 of them, of the estate afoꝛe specified, do make oꝛ cause to be made, oꝛ suffer **couerie oꝛ alie-**
 anie such discontinuance, alienations, warranties oꝛ recoveries in foꝛme **nation of the**
 afoꝛesaid: Then it shalbe lawfull to the person oꝛ persons, to whom the **woman, he in**
 said lands, tenements &c. should oꝛ ought to belong, after the decease of the **the reuerſion**
 said woman, to enter into the same, and them to possede and enioy, accoꝛ- **may enter.**
 ding to such title and interest, as they should haue had, if the same woman **A woman co-**
 had bin dead, no discontinuance, warrantie, noꝛ recouerie had as against **uert bound but**
 the said husband during his life, if the said discontinuance, alienation, war- **during her hus-**
 ranties, & recoveries be had by oꝛ against the same husbands and women **bands life.**
 during the espousal betwixt them, But the said women after the decease
 of their said husbands, may reenter into the same landes, &c. and them to
 inioy, according to the first estate in the same. 11. H. 7. 20.

3 If the said women at the time of such discontinuance, alienations, **A woman sole**
 recoveries, warranties, in foꝛme afoꝛesaid, had and made, of any the pre- **aliening oꝛ suf-**
 mises be sole, then she shalbe excluded of her title, and interest in the same **fering recovery**
 from thencefoꝛth, and the person and persons to whom the title, interest, &
 possession of the same should belong after the decease of the said woman,
 shall immediatly after the said discontinuances, alienations, recoveries, &
 warranties enter into the same lands, &c. and them to possede and enioy
 according to his oꝛ their title in the same. 11. H. 7. 20.

4 This act shall not extend to any such recovery oꝛ discontinuance to **A woman doth**
 be had with the heirs next inheritable to the said woman, oꝛ he oꝛ they y **discontinue oꝛ**
 next after the death of the same woman should haue estate of inheritance **suffer recovery**
 in the same lands, &c. be assenting and agreeable to the said recoveries, **with the heirs**
 where the same assent & agreement is of recoꝛd & inrolled. And it shall be **consent.**
 lawfull to euery such woman being sole, oꝛ married, after the death of her **A woman may**
 first husband to giue, sell, oꝛ make discontinuance of anie such lands, foꝛ **giue land foꝛ**
 terme of her life only, after the course of the common law. 11. H. 7. 10. **terme of her**
owne life.

5 No fine, feoffement, oꝛ other act hereafter to be made, suffered, oꝛ **The husbands**
 done by the husband only of any lands, tenements, oꝛ hereditaments, be- **only act of the**
 ing the inheritance oꝛ freehold of his wife, during the couerture betwixt **wifes lands**
 them, shall in any wise be, oꝛ make any discontinuance thereof, oꝛ be pre- **shall not prei-**
 iudicial oꝛ hurtfull to the said wife oꝛ to her heirs, oꝛ to such as shall haue **dice her, oꝛ her**
 title, interest, oꝛ right to the same by the death of such wife oꝛ wifes. But **heirs after his**
 the same wife oꝛ her heirs, and such other to whom such right shall apper- **death.**
 taine after her decease, shall & may then lawfully enter into such lands &c.
 according to their rights and titles therein notwithstanding such fine, feof-
 ment,

Leases made
by the husband
and wife of the
inheritance of
the wife.

Recoveries of
deeds inrolled
in corporat
townes.

Lands recou-
ered against the
husband by
default.

Conueying a
maid under
xvi. yeeres of
age.

The forf. for
taking away
a maid under
xvi. yeeres of
age.

ment, or other act, (fines leuied by the husband and wife, whercunto the said wife is partie and priue only except.) But this act doth not giue any libertie to anie such wife, or to her heires, to auoid anie lease made of anie inheritance of the wife by her husband and her for terme of one & twenty yerres or vnder, or any her inheritance for terme of thre liues at the vttermoſt, whereupon as much yerely rent or moze is reſerued, and yerely payable during the ſame lease, as was at anie time therefoze paid within twenty yerres next befoze the making of anie ſuch lease, according to the tenor of this act. 3 2. H. 8. 28. Neither doth this act giue libertie to y wife or her heirs to auoid anie recoveries, deeds inrolled, or releases, being in the nature of fines (whereupon women couert are vſed to be examined) knowledged and taken befoze the maiors, aldermen, recozders, chamberleins, or other head officers of the city of Lodon, or other cities, boroughs, or townes corporat, hauing power to receiue & take the ſame, according to the cuſtomes of the ſaid cities, boroughs, &c. But the ſame recoveries, deeds inrolled, and releases ſhall remaine of like ſtrength to all intents as they were befoze the making of the fozeſaid ſtatute of 3 2. H. 8. 3 4. H. 8. 22. S. Westm. 2. 13. Ed. 1. 3. that if the husband do loſe by default anie tenement which he hath in his wiues right, the wife after the death of her husband may recouer the ſame by a Cui in vita.

6 It ſhall not be lawfull to anie perſon or perſons to take or conuey, or cauſe to be taken or conueied away, any maid or woman child vnmarrried, being within the age of xvi. yeeres, out of, or from the poſſeſſion, cuſtodie, or gouernance, & againſt the will of y father of ſuch maid, or woman child, or of ſuch perſon or perſons to whom y father of ſuch maid or womā child by his laſt will, or by anie other act in his life time ſhal aſſigne, bequeath, giue, or grant the order, keeping, education, or gouernance of ſuch maid or woman child, except ſuch taking and conueying away as ſhall be had, made or done, by or for ſuch perſon or perſons as without fraud or couin then ſhall be the maſter or miſtreſſe, or the gardian in ſocage, or gardian in chivalrie, of or to ſuch maid or woman child. 4. and 5. H. and H. 8.

7 If anie perſon or perſons aboue the age of xiiii. yeeres ſhall vnlawfully take or conuey, or cauſe to be taken or conueyed anie maid or woman child vnmarrried, being within the age of xvi. yeeres, out of, or from the poſſeſſion & againſt the will of the father or mother of ſuch child, or out of or from the poſſeſſion of ſuch perſon or perſons as then ſhal haue by any lawful waies or meanes, the order, keeping, education or gouernance of any ſuch maid or woman child, Then euery ſuch perſon & perſons ſo offending being therof lawfully attainted or convicted by the due courſe of the law of this Realme (oſher then ſuch of whom ſuch perſon taken away ſhall hold any lands or tenements by knights ſeruiſe) ſhal be ii. yerres impriſoned, of his or their bodieſ without baile or mainpriſe, or els ſhall pay ſuch fine for his or their ſaid offence to the Q. & H. grieued, as ſhal be aſſeſſed by the Q.

Councell

Councell in the Starre chamber at Westminster. 4. and 5. P. and M. 8.

8 If any such person or persons shal so take away, or cause to be taken away, as is aforesaid, and deflowze any such maid or woman child, as is aforesaid: Or shall against the will, or unknowing of, or to the Father of such maid or woman child if the Father be in life, or of, or to the mother of such maid or woman child (having the custodie and gouernance of such child, if the father be dead) by secret letters, messages, or otherwise, contract matrimonie with anie such maiden or woman child (except such contracts of matrimonie as shall be made by the consent of such person or persons as by the title of wardship shall then haue or be entituled to haue the marriage of such maid or woman child) then euerie such person or persons so offending being thereof lawfully convicted as is aforesaid, shal suffer imprisonment of his or their bodies by the space of five yeeres, without baile or mainprise, or els shall pay such fine for his or their said offence to the Queene & partie griued, as shall be assessed by the Queenes Councell in the said Starre chamber. 4. and 5. P. and M. 8.

Taking away
& deflowzing
or contracting
matrimonie
with a woman
under xvi.
yeeres of age.

9 The Queenes Councell of the Starre chamber by bill of complaint or information, and Iustices of assise by inquisition or indictment, haue authoritie to heare & determine the said offences, vpon euerie which indictments & inquisitions such procelle shall be awarded, as vpon an indictment of Trespas at the common Lawe. 4. and 5. P. and M. 8.

Who may
heare and de-
termine the
offences a-
foresaid.

10 If any woman child or maiden, being aboute the age of xii. yeeres & vnder xvi. do at any time consent to such person y so shal make any contract of Matrimonie, contrary to y forme & effect of this statute: Then the next of her kinne to whom the inheritance should returne or come after her decease, shal fro the time of such assent, haue & enioy all such lands, tenements & hereditaments, as she had in possession, reuerfion, or remainder, at the time of such assent, during the life of such person that shal so contract matrimonie. And after the decease of such person so contracting matrimonie, then the said lands &c. shal descend, reuert, remaine, & come to such person or persons, as they should haue done in case this act had neuer bene made, other then to him onely that so shal contract matrimonie. 4. & 5. P. & M. 8.

If a woman
betwixt xii. &
xvi. do consent
to an unlawful
contract of ma-
trimonie, her
next heire may
enter vpon her
lands.

11 But this act shall not extend to take away or diminish any libertie, Dyphanes, custome, or authoritie, concerning anie Dyphanes within the citie of London, or anie other Citie, borough, or towne where Dyphanes are commonly vsed to be provided for, either by graunt or by custome: But the Lord Maior of the said citie of London, & the Aldermen of the same, & euerie other head officer of anie other citie &c. where such Dyphanes be provided for, shall, and may haue, and take like rule, order, keeping, & charge of such Dyphanes, and of all their lands, tenements, goods and cattels, as heretofore they vsed, or lawfully might haue had and vsed, if this act had not bene made. 4. and 5. P. and M. 8.

12 If anie person or persons shall take anie maid, widow, or wife, which

Taking a woman against her will.

Wardes, Bondwomen.

The offender shall not haue his clergie.

A woman enforced to be bound by obligation, or statute against her will.

which hath anie landes or goods, or is heire apparant to her auncester, against her will unlawfully: such taking, procuring, and abetting to the same, and also receiuing wittingly the same woman so taken against her will, & knowing the same, shalbe felony, and such misdoers, takers, & procurators to the same, and receiuors knowing the said offence in forme aforesaid, shalbe reputed and iudged as principall felons: But this act doth not extend to anie person taking anie woman, onely claiming her as his Ward or bondwoman. 3. H. 7. 2.

13 All and euery such person and persons as shalbe couicted or attainted, of or for any offence to be committed after the end of this Session of Parliament, made felony by the said act of An. 3. H. 7. or which shalbe indicted and arreigned of or for any such offence, and stand mute or make no direct answer, or shall challenge peremptorily aboute the number of twentie, shal in euery such case, lose his and their benefit of clergie, and shal suffer paines of death without any benefit of clergie, any former law to the contrarie notwithstanding. Provided alwaies, that this act, or any thing therein contained, shall not extend to take away the benefit of clergie, but only from such person and persons as hereafter shalbe principals or procurers or accessaries before such offence committed. 39. Eliz. 9.

14 If any person or persons wil take by force, or dissimulation, or by any other meanes will get into his or their possession any woman being sole, hauing any lands, tenements, or moueable goods within this realme, and conuey her into anie place where he or they be of power, and will not suffer her to go at libertie, vntill she will be bound vnto him or them, or to some other, to his or their vse, in a summe of money in an obligation, or obligations simple, or condicionall, or by obligation of the statute Merchant, before a Maior or Bailife, hauing power to take such recognisances, or will cause the said summe to be leuied of her lands or goods, or will cause her to be married against her will: Then the partie which is bound may haue a writ out of the Chancerie containing all the matter of her unreasonable intreatie, directed to the Shirife of the Countie where anie of the said offences shalbe committed, commaunding him that he shal by force of that writ, make Proclamation in the full & next Countie after the receipt of the said writ, that the person or persons contained in the said writ shal appeare at a certaine day & place prefixed in the said writ, before the Chancelor of England, or before the Iustices of Assise in the Countie where the said offence was committed, or otherwise before some worthie person appointed by the Chancelor, at which day & place if the partie &c. do appeare, the Chancelor, Iustice, or other person assigned, shall examine him duely vpon the premisses, by which examination if they may finde the said obligation or obligations to be made in such forme as is aforesaid, then the said obligation or obligations, & all proces & execution thereupon pursued, shal be void. And if it be found by examination before the, that any

of the said obligations were made for very dutie, & by no such meane as is aforesaid, Then the said obligation &c. and all the proces & execution pursued thereupon shall be good & effectual. And if the person or persons in such writs named, against whom any such letters or writs shall be sued, do make default at the day & place limited in the said writs: Then all such obligations as be above specified, & in the said writs expressed, and all manner of proces, & executions, sued or pursued thereupon shall be void. 31. H. 6. 9.

14 The Shirife to whom such writs vpon this statute commēced, shall be directed, shall execute the said writs according to the tenor thereof, vpon paine of CCC. li. wherof the Queene shall haue the one moitie, & the party which sueth the proclamation, the other: for the which moitie the said partie grieved shall haue an Action of debt against the said Shirif with proces of outlawrie, wherein no T. R. &c. nor forrein plee to be tried in any other place, but where the writ commēced vpon the statute is sued. 31. H. 6. 9.

That the Shirife shall forfeit if he do not execute this writ.

15 If any man doth alien the right of his wife, the womans suit, or her heires, shall not be differred after the death of her husband by the minority of the heire which ought to warrant it, but the buyer (which ought not to be ignorant that he hath bought an others right) shall carrie to haue his warrantie untill the full age of the heire. West. 2. 13. Ed. 1. 40.

A womans suit shall not be differred by the minority of the heire which should warrant

1 What punishment doth insue the Rape of a woman, or consenting to rape. S. Rape 1. 2. 3.

2 Where a woman shall haue her Quarentine, where her iointure, where her dower, and what causes there may be of conclusion, or forfeiture. See Dower.

3 Where a woman may haue appeal of death or murder. S. Appeales 4.

4 In what case a woman about the age of xij. yeeres is compellable to serue. S. Labourers 14.

5 What leases made of a womans landes during her couerture shall bind her, and what not. S. Leases 1. 2. 3.

6 How widowes, or other women, which hold of the Queene in chiefe shall be vsed in euery respect. S. Prærogatiue 4. 5. 27.

7 In what cases a woman couert shall be receiued to defend her right of lands demaunded. S. Receipt 1.

8 That a will made by a woman couert of lands is not effectually in law. S. Willes 17.

9 That a Will made by a widow of her croppe, is good. S. Willes 20.

10 How farre any woman shall be bound by the Statute provided to restraine popish Recusants to certaine places of abode. S. Recusants 39.

Worstedes.

Anno 7. Ed. 4. 1. It was enacted that men of the craft of Worsted Wardens of weauers within the Citie of Norwich, shall haue power euery yeere the Sunday next after the feast of Pentecost, to choose fower Wardens within the said Citie of the same craft. And also that Artificers of the same craft

wardens of worsted weavers.

craft likewise out of the Citie, viz. within the Countie of Norffolk, shall haue power euery yeere at the same day to choole fower Wardens within & of the same Countie of the same craft. And the foresaid Wardens within the Countie & Citie shall come before the Maior of the said Citie for the time being, vpon Sunday next after the feast of Corpus Christi then next following: And then shalbe swozne before the Maior of the said Citie (and the Steward of the Duchie of Lancaster for the time being, if he shall be then in the said Citie.) And that all the said Wardens, aswell within the said Citie as without, or els y greatest part of them vnder the foyme aforesaid chosen & swozne, shal haue full power for the yeere then next following, to suruey the workmanship of the said artificers, & that they make & work rightfully & well, and of good stufte: And to ordeine such rules and ordinances within the said craft, as often as it shal seeme needfull & necessarie for the amendement of the said Worstedes & craft: And that such rules & ordinances so made & ordeined by them shal be obeyed & kept by the said Artificers: Or els iiii. of the said Wardens, calling to them sixe of y most discreet of the said Artificers within the said Citie, And sixe of the said Artificers within the said Countie, by the discretion of the said Maior & Steward, or one of them, shal punish such of the said Artificers which breaketh or both contrarie to any of their said rules & ordinances. And mozeouer in eschuing of all such disceipt & falshood which may happe to be done and wrought in the said craft by the said eight Wardens, by themselves solie, or in concealing of the workmanship of others of the Artificers in the said Citie and Countie. It was further ordeined that the Maior of the said Citie for the time being, & the said Steward, or one of them, at such time as he shall think conuenient, shal call before him the said xii. artificers, or the greatest part of them, and charge them to be swozne to make right full search, aswell in the stufte, as in all the working of the said viii. Wardens to be wrought & made. And the said Wardens so found defectiue, or in execution of their office in search of all other of the same Artificers within the said Citie & Countie, or in their owne stufte or workmanship, shall be corrected by the same Maior & Steward, in such sort as other offenders of the same craft ought to be. And the said Wardens & euery of them in euerie part of the said Citie of Norwich, & elsewhere in the counties of Norffolke, Suffolke, & Cambridge, at all times conuenient, shall haue power to search all maner of Worstedes, and the stufte of them, aswell within the Loomes, as out of the Loomes, wrought within the Citie of Norwich, or Countie of Norffolk. And if any man before the said Maior or Steward, or either of them, be thereof found defectiue, he shal be corrected by their discretion. And the Worsted & stufte found in maner and forme aforesaid defectiue, shall be forfait: The one halfe of such forfait as shall be found within the Citie of Norwich shall be to the Maior of the same Citie: And found in any other place, to the Maiors, Baylifes of the cities, Boroughes and

and Townes, or to the chiefe Lords of the fee, of, & in such place as such Worstedes or stufte for any of the causes aforesaid shal be found defectiue or forsaite by the said Wardens, or any of them : And the other halfe shal be to the Wardens of the said craft for the time being. And by the said Statute it was further ordeined, that y^e said eight Wardens, the said Sunday next after Corpus Christi day, presently after their charge, shal assigne a certain place or two within the said Citie, & certain daies by the weeke, and an other certain place or two, or moze if they thinke it necessarie in the said Countie of Norffolk, & certain daies by the weeke for the yeere next following : to the intent that euery peece of Worsted, which in the same yeere shal be set to sale, shall be brought befoze the Wardens of the said craft, to one of the said places so assigned, to the intent that aswell the Artificers of worsteds as the said Wardens, may certainly know the place where the worsteds may be duely searched. And if the said Wardens finde the said worsteds by their search well & lawfully made, then such a marke or token shall be set by the said Wardens, or one of them (without fine or fee) vpon the same, so that all buyers may well know which peece is sufficiently & rightfully searched & wrought : And the said search shall aswell extend to the stufte, as to the sufficient making. And such as they shal finde defectiue, the Maior of the said Citie, & Steward of the Duchy, or one of them, by the assent of the said Wardens & xii. artificers shal haue power to set therein such correction, as to them shal seeme reasonable. And all Maiors, Shirifes, Bailifes, and other Officers shal be ayding, attending, & suppoztng the said Wardens in their search, as often as they or any of them shall be by the said Wardens, or any of them reasonably required. And An 14. H. 8. 3. and 26. H. 8. 16. it was enacted, that the crafts men called Worsted weauers inhabited within the Town of great Warrmouth Warrmouth. in the Countie of Norffolk, shal haue authorizty to elect & choole yerely for euer in the Sunday next after the feast of Pentecost, one honest man of the same occupation being an housholder within the same town of great Warrmouth, & hauing of his proper goods & cattels to the value of x. li. at the least, or lands & tenemets to his owne vse of estate of freehold to the cleere peerely value of xx. s. at the least, to be Warden of the same craft & mysterie for the yeere next following : Which man so chosen shal personally appeare befoze the Maior of the Citie of Norwich the Sunday next after the feast of Corpus christi then next insuing, then & there to be charged by like oath concerning the true & substantiall making of the said clothes within the said town of great Warrmouth, as the fower Wardens of the said Citie of Norwich by vertue of the foresaid Act of 7. Ed. 4. bin charged and swozne within the same Citie : And if the said Maior be absent the said Sunday, or refusech to take the said oath, then the said Warden so elect, shall within fower dayes after the same Sunday come befoze the Baylifes of the said Towne of great Warrmouth, or one of them (the other

being absent) & receive a corporal oath for the true exercising of the same office of Wardenship, after the tenor of y^e oath v^esed to be giuen to the said Wardens of the citie of Norwich. And the said Warden so elect & swozne
Y. may appoint a Seale with this letter **W.** to be grauen in the same seale, & may haue authoritie to view, search, seale, and seale in lead with the same seale, & none other, all Worstedes, Sayes, and Stamines within the said towne of great Warmouth, & the suburbes of the same to be made, & not els where, in as large maner as the said Wardens of Norwich & Norfolk &c. by the said Act made 7. Ed. 4. may doe &c. And by the said statute of 14. H. 8. it was further enacted, that when the towne of Linne in the countie of Norfolk shal be inhabited with x. sundrie householders or more householders exercising & vsing the said craft of Worsted weauers, then & so long it shal be lawfull to the same inhabitants of Linne, peerey on the Munday next after the feast of Pentecost, to choose of theselues one Warden of the same craft, which shal be of value in lands or goods, & shal be swozne, & shal appoint a seale with the letter **L.** & shal view, search, seale, & seale within the town of Linne & suburbs of the same, as Warmouth vt supra. Prouided alwaies that this Act shal not be p^reiudicial to the Maior of Norwich, or to his successors, or to the Wardens of y^e said citie or Countie, or to their successors, in any point, article, or authoritie, other then for weauing, searching, & sealing of Worstedes, Sayes, and Stamines made only within the said townes of Linne & Warmouth, or the suburbes of the same, or to any of them: & for limittig of markes to the makers of Worstedes, Sayes, & Stamines only inhabited within either of the said townes or the suburbes thereof, & taking of Apprentices, But the said Maior of the said Citie, & Wardens of the said Citie and Countie, & euery of them may haue and vse all other articles, points, and authorities specified in the foresaid Act of 7. Ed. 4. as well for the search, sealing, correcting, & reformation of the said Wardens newly to be elect by vertue of this act, and euery of them, according and after such fourme as they may doe or vse any of the said Wardens of the said Citie or Countie, by force of the said Act made 7. Ed. 4. as all and euery other inquiries, corrections, searchings, sealings, and reformations to be had for the true making of Worstedes, Sayes, and Stamines, in and vpon any person or persons, as well within the said townes of Linne and Warmouth, as without, without let or vexation of any of the inhabitants of the said townes, in as large wise as they might haue done before the making of this Act.

2 No person or persons shall take vpon him or them, to dycalender any Worsted within this Realme, vpon paine to forfait for euery Worsted that is so dycalendred C. s. No person or persons shall take vpon him or them to wetcalendre any Worstedes, but only such persons as haue bin bound app^retices to other persons of the same occupati^on of wetcalendring of Worsted by the space of vii. yeeres, or be cunning in the same, and their cunning

No Worsted
shall be dycalendred.

Who shal wet
calendre wor-
sted.

unning approued and admitted by the Maior of Norwich, and the two masters of the said craft, perelie to be chosen within the said cite of Norwich or in the Countie of Norfolk, of the craft of wetcalendring, vpon paine of euery such person which shall do the contrarie to forfait for euery peece so calendred against the purueiances aforesaid *℥. s.* to the Queene and to the masters of the said occupation of wetcalendring for the time being. And it shalbe lawfull to the masters of the said occupation (for the time being) and their successours, to sue for the one moitie of all such penalties forf. against euery such person, as shall do contrarie to the forme & effect of this stat. by action of debt, or by bill, plaint, Information &c. wherein no wager of law, essoine, protection &c. 5. Hen. 8. 4. 25. Hen. 8. 5.

3 No person vling the mysterie of dying of Worstedes, Stamines, or Sayes, or any of them, neither by himselfe, his seruant, factor, deputie, or any other by his assignement, shal vse to calender any Worstedes, Stamines, or Sayes, or any other comodities made of worsted yarne, during all such time as he shall vse the mysterie of dying aforesaid, vpon paine to forfait for euery peece so dyed and calendred, by fraude or contrarie to the true meaning of this Acte, fortie shillings to be deuided into three equall partes, the one to the Queene, one other part to the Maior of Norwich, and the third part to him or them that will sue for the same by action, Information, &c. wherein no Essoine, Protection, or delatē &c. 25. H. 8. 5.

None that dyeth worsteds shall calender them.

4 No person shal transport beyond the sea any clothes of Worsted, before the same be shorne, died, coloured, & calendred, vpon paine of forfeiture of the value therof to the Queene & Informer, to be recovered by A. J. &c. wherein no wager of law, essoine, protection, &c. 14. H. 8. 3. 26. H. 8. 16.

No Worsted transported before the same be shorn, died, and calendred.

5 The Marchants & workers of Clothes, called single Worsted, may carrie boltes of single Worsted to what parts they will, (except to the Queenes enemies) paying the customes and subsidies thereof due, notwithstanding any statute, ordinance, proclamation, inhibition, commandements, or charters, liberties, vlags or priuiledges, grated or to be granted to the Marchants of the Staple, or to any other, made or to be made to the contrarie. But vnder the colour of the said boltes of single Worsted, they shall carie no double Worstedes, nor halfe double, nor Worstedes raze, nor Dotley, vpon paine of forfeiture of the same, 17. Rich. 2. 3.

That Worstedes may be transported, & what not.

6 No man of the craft of Worsted Cleauers within the Citie of Norwich, or the countie of Norfolk, shall make anie Worsted, vlesse he put his proper marke fired or wouen vpon the same, or dayned by the Wardens of y^e said mysterie, vpon paine to forfait the same to the Queen, & for enerie peece of Worsted sold, not marked after the forme aforesaid, the first seller shall forfait the price of the peece so by him solde to the Q. 7. Ed. 4. 2.

Every man shall put his marke to his Worsted.

7 No person inhabited within either of y^e Townes of great Parnmouth or Linne in the Countie of Norfolk, or the suburbs thereof, shall weaue or make any worsteds, sayes, or stamines, within either of the same townes,

Who shall be Worsted weavers of great Parnmouth and Linne.

townes, except he be an English man bozne, and haue bin apprentice to the said occupation, and without he weaue therein such proper marke, as shalbe appointed by the warden of either of the said townes where he shall inhabit for the time being, elect and swozne, vpon paine of forf. thereof to the Q. And euery warden of either of the said townes shal limit distinct, & seuerall marks to euery of the said Woested weauers of the same townes of great Warmouth & Linne, and the same markes by the said Wardens shall be registred in a booke. And all clothes of Woosteds, Saies, & Stamins made within any of the said townes of Linne and great Warmouth or the suburbs of the same or any of them, and marked with such markes as shalbe limitted to the makers by the said wardens of the said townes of Linne and Warmouth in maner and forme aforesaid and weaued and sealed by any of the wardens of the said townes in forme aboue remembred may be lawfully put to sale by the owners & makers of the same, without any other marking or sealing vpon the said clothes, or vpon any of them to be had or made by any other wardens dwelling without the said towne, and without any arrest, seisure or forsaiture of the said clothes or anie of them, for lacke of anie other seales or markes, any thing contained in the said Statute made 7.Ed.4. &c. notwithstanding. 14.H.8.3.26.H.8.16.

The Woosteds of Linne and Warmouth shal be dyed, shorne, and calendered at Norwich.

8 The crafts men of Woosted weauers inhabited within either of the said towns of Linne & Warmouth, or suburbs of the same, & the marchantes or any other person or persons which shal buy of any of y^e same crafts men, or of any other person any of the said clothes of Woosteds, Stamins, or Sayes, made within either of the said towns of Linne & Warmouth, and sealed by the wardens of the same townes, nor any of them shal not sheare, dye, or put in colour, or calender any Woosteds, Stamins, or Sayes made within either of the said towns of Linne and Warmouth, or suburbs of the same in ante other place, but only within the citie of Norwich, or suburbs of the same, vpon paine of forf. of euery piece of Woosted, Sayes or Stamins, to be made within any of the said townes of Linne and Warmouth, or suburbs of the same, or the value thereof shorne, died, coloured or calendered by any of the said crafts men, buyers or merchants in any other place, then in the said citie of Norwich or suburbs of the same, the one halfe thereof to the Queene, and the other halfe to such person or persons as shal seise the same, so that the said Woosteds brought to the said citie of Norwich to be shorne, died, coloured & calendered without couin or craft of any of the said inhabitants & marchants, may be shorne, died, coloured & calendered, at & by as conuenient price, & in as readie wise as the said inhabitants of Linne or Warmouth, & marchants buyers or other of the said citie or countie hath had in times past, or hereafter shal haue, and also that euery of them so bringing their said woosteds to the same citie for to be shorne, died, coloured, and calendered, be reasonable & lawfully entreated, according to the statute made An. 7.Ed.4.14.H.8.3.3.26.H.8.16.

Euerie piece of Worsted shall be pursuing thorough the piece of lawfull making, good, and conuenient stufte, and shall hold the length, & breadth, as the assise was wont to be of old time, rightfully accustomed, viz. Beds of the greatest assise xiiii. yards largely in length, and thre yards largely in breadth, And beds of the meane assise twelue yards in length, and thre yards in breadth, And beds of the least assise, tenne yards in length, and two yards and a halfe in breadth, And clothes called Honkes clothes xii. yards in length at the least & fise quarters in breadth, And clothes called chanon clothes of the one assise vi. yards in length, & two yards in breadth, and of the other assise fise yards in length, and seuen quarters in breadth, And double motlies seuen yards in length, and fise quarters in breadth, and single motlies sixe yards in length, and fise quarters in breadth, And double Worsted tenne yards in length, and fise quarters in breadth, & the halfe double Worsted sixe yards in length, and fise quarters in breadth. And the roll of Worsted xxx. yards in length, and halfe a yard in breadth, and no Lambs wool shall be put in any of the said Worstedes, And the wardens of the craft of Worsted weauers of the citie of Norwiche and Countie of Norfolke, and euery of them for the time being, haue power to seise all such clothes & stufte being defectiue: And the Maior of Norwiche, and Steward of the Duchie of Lancaster within the said countie of Norfolke and euerie of them, by xii. of the discreet artificers of the said citie & countie, haue power at all times to inquire, heare, and determine of all such as do against the said ordinaunces within the said citie or countie. 7. Ed. 4. 1.

1 Who may buy Worsted yarne spunne in Norwiche, or in the countie of Norfolke. S. Yarne. 1.

2 That Worsted yarne spunne in England, shall not be transported beyond the seas. S. Yarne 2.

3 What prentices Worsted makers dwelling in Linne, and great Yarmouth may take. S. Labourers. 3 2.

Wrecke of the sea.

Where a man, a dog, or a cat escape quicke out of the ship, such ship nor barge, nor anie thing within them shall be adiudged wrecke, but the goods shall be saued and kept by view of the shirifs, Coroner, or the Queenes bailife, & deliuered into the hāds of such as are of y^e towne where the goods were found, so that if any sue for those goods, & after proue that they were his or his masters, or perished in his keeping, within a yeere & a day, they shall be restozed to him without delay, & if not, they shall remaine to the Queene, and be selled by the shirifes Coroners, and bailifes of the Towne, which shall answer, before the Iustices of the wrecke, belonging to the Queene. And where wrecke belongeth to another then to the Queene, he shall haue it in like maner, and he that otherwise doth, and thereof is attainted, shall be awarded to prison, and make fine at the M^{ys} pleasure, and shall yeeld damages also, And if a bailife do it, and it be disallowed

The length
and breadth of
Worsted and
Motley.

which shall be
said shipwreck,
and which not.

Wrecke of the sea. . . Yarne and Thrummes.

disallowed by his Lord, and the Lord will not discharge him thereof, the bailife shal answere, if he haue whereof, & if he hath not whereof, the Lord shall deliuer his bailifes bodie to the Queene. West. 1. 3. Ed. 1. 4.

1 That a Coroner shall enquire of the wrecke of the sea, and the price thereof, and deliuer it to the townes to answere. S. Coroners. 11.

2 That the Queene by her Prerogatiue shall haue the wrecke of the sea. See Prerogatiue 12.

Yarne and Thrummes.

Who may
buy Worsted
yarne in Nor-
folke or Nor-
wich.

NO person shal buy, nor cause to be bought within y^e citie of Norwich or countie of Norfolk, any yarne called Worsted yarne, the which shall be spunne within the said citie or countie, but only weauers, or other Artificers the which shal weaue, or otherwise worke or cause to be wouen or wrought the said yarne in the said citie of Norwich, or elsewhere within the said countie of Norfolk, vpon paine of forfaiture for euery pound weight of worsted yarne so bought, and not wouen or wrought, as is aforesaid xl. s. to the D. and J. that shal take the said yarne or otherwise sue for the same by B. P. J. or otherwise, wherein no W. E. P. &c. But it is lawfull to euery Hatmaker, dwelling within the citie of Norwich, to buy such of the said worsted yarne, as is called and knowen by the name of middle Uffe yarne, as they haue heretofore vled to doe, so that the said middle Uffe yarne so bought be wrought in Hats, or imploied to hatmaking within the said citie. 33. H. 8. 16. 1. Ed. 6. 6. 5. Ed. 6. 7.

Middle Uffe
yarne.

No Worsted
yarne shalbe
transported.

2 If any person do ship or conuey, or cause to be shipped to conuey beyond the sea, or els do carie or cause to be caried beyond y^e sea any yarne called worsted yarne, not wrought or made in cloth, so y^e such yarne be spunne or made within England, then he shal forfait for euery poind of worsted yarne so shipped, conueied, or caried xl. s. to y^e D. & J. to be recovered by A. B. P. or otherwise, wherein no W. E. P. &c. 33. H. 8. 16. 1. Ed. 6. 6. 5. Ed. 6. 7.

No thrummes
shall be trans-
ported.

3 Whosoever doth carie out of the realme any Thrummes or wollen yarne, vnder the colour of Thrummes, shall forfait the double value of the same. 8. H. 6. 23.

None shall buy
wollen yarne
but to make
cloth thereof.

4 No man shall buy yarne of wooll, called Woollen yarne, if he will not make cloth thereof, vpon pain to forfait the same yarne, and foure fold damages, to haue two yeeres imprisonment, and to make fine at the D. pleasure. 8. H. 6. 5.

1 That no wollen yarne shall be transported, but which is wrought within this realme. S. Draperie. 105.

2 That none shall buy coloured Yarne, but in open market. See Draperie 74.

3 That the weauer shall put in all the Yarne to the cloth, or restore it. See Draperie 80.

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